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HOUSE OF COMMONS OF CANADA  
36th PARLIAMENT, 1st SESSION

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**MINUTES OF PROCEEDING**

Standing Committee  
on

**JUSTICE AND HUMAN RIGHTS**

Chair: Shaughnessy Cohen

**Meeting No. 77**

**Thursday, May 28, 1998**

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**ORDER OF THE DAY:**

The Committee commenced consideration a letter dated Wednesday May 6, 1998.







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## MINUTES OF PROCEEDINGS

MEETING No. 77

Thursday, May 28, 1998

The Standing Committee on Justice and Human Rights met at 11:24 p.m. this day, in Room 536, Wellington Building, the Chair, Shaughnessy Cohen, presiding.

*Members of the Committee present:* Eleni Bakopanos, Gary Breitkreuz, Shaughnessy Cohen, Derek Lee, John Maloney, Richard Marceau, John McKay et Jack Ramsay.

*Acting Members present:* Lou Sekora for Sheila Finestone, Roy Bailey for Paul E. Forseth.

*In attendance : From the Research Branch of the Library of Parliament:* Philip Rosen, Senior Analyst.

Pursuant to Standing Order 106 (3), the Committee commenced consideration of the letter dated <sup>d</sup>Wednesday, May 6, 1998, which reads as follows :

"Mr. Luc Fortin

Clerk of the Standing Committee on Justice and Human Rights:

Pursuant to Standing Order 106 (3), a meeting of the Standing Committee on Justice and Human Rights shall be convened within ten sitting days for the purpose of examining the concerns raised in the following letters sent to the Department of Justice: (a) Letter dated April 23, 1998 to the Justice Minister from the User Group on Firearms (copy attached), (b) Letter dated March 30, 1998 to the Justice Minister from the Canadian Police Association (copy attached), and (c) Letter dated July 21, 1997 to the Deputy Minister of Justice from the office of RCMP Commissioner, J.P.R. Murray (copy attached).

(Signed) Jack Ramsay, M.P., Gary Breitkreuz, M.P., Paul Forseth, M.P., Peter MacKay, M.P."

Gary Breitkreuz moved, -- "To have the User Group on Firearms, the Commissioner of the RCMP and the Canadian Police Association appear before the Committee".

After debate, the motion was negatived on the following division:

**YEAS:**

Roy Bailey Jack Ramsay

Gary Breitkreuz (3)

**NAYS:**

Eleni Bakopanos Richard Marceau

Derek Lee John McKay

John Maloney Lou Sekora (6)

At 12:10 p.m., the Committee adjourned to the call of the Chair.



Luc Fortin

Clerk of the Committee



HOUSE OF COMMONS OF CANADA  
36th PARLIAMENT, 1st SESSION

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**MINUTES OF PROCEEDINGS**

Standing Committee  
on

**JUSTICE AND HUMAN RIGHTS**

Chair: Shaughnessy Cohen

**Meeting No. 78**

**Wednesday, June 3, 1998**

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**ORDER OF THE DAY:**

Study of the victims' role in the criminal justice system

**WITNESSES:**

*Canadian Resource Centre for Victims of Crime:*

Theresa McCuaig;

Steve Sullivan, Executive Director.





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## MINUTES OF PROCEEDINGS

## MEETING No. 78

Wednesday, June 3, 1998

The Standing Committee on Justice and Human Rights met at 3:45 p.m. this day, in Room 308, West Block, the Chair, Shaughnessy Cohen, presiding.

*Members of the Committee present:* Shaughnessy Cohen, Paul DeVillers, Derek Lee, Peter G. MacKay, John Maloney, John McKay and Andrew Telegdi.

*Acting Member present:* Chuck Cadman for Paul E. Forseth.

*In attendance : From the Research Branch of the Library of Parliament:* Philip Rosen, Senior Analyst, and Marilyn Pilon, Research Officer.

*Witnesses: From the Canadian Resource Centre for Victims of Crime:* Steve Sullivan, Executive Director; Theresa McQuaig.

Pursuant to Standing Order 108 (2), the Committee resumed a study of the Victims' Role in the criminal Justice System (*See Minutes of Proceedings of Tuesday, May 12, 1998, Meeting No. 68*).

Steve Sullivan and Theresa McQuaig made a statement and answered questions.

At 5:42 p.m., the Committee adjourned to the call of the Chair.

Luc Fortin

Clerk of the Committee





HOUSE OF COMMONS OF CANADA  
36th PARLIAMENT, 1st SESSION

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**MINUTES OF PROCEEDINGS**

Standing Committee  
on

**JUSTICE AND HUMAN RIGHTS**

Chair: Shaughnessy Cohen

**Meeting No. 79**

**Tuesday, June 9, 1998**

---

**ORDER OF THE DAY:**

Study of the victims' role in the criminal justice system

**WITNESSES:**

*Mothers Against Drunk Driving:*

Joanne Jarvis, National Victims Services Coordinator;

Susan MacAskill, National President;

Susan McNab, Ottawa Chapter Co-founder.





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## MINUTES OF PROCEEDINGS

MEETING No. 79

Tuesday, June 9, 1998

The Standing Committee on Justice and Human Rights met at 10:10 a.m. this day, in Room 371, West Block, the Chair, Shaughnessy Cohen, presiding.

*Members of the Committee present:* Eleni Bakopanos, Shaughnessy Cohen, Paul DeVillers, Sheila Finestone, Paul E. Forseth, Derek Lee, John Maloney, Richard Marceau, John McKay, Jack Ramsay and Andrew Telegdi.

*Acting Member present:* Chuck Cadman for Garry Breitkreuz.

*Other Member present:* John Bryden.

*In attendance : From the Research Branch of the Library of Parliament:* Philip Rosen, Senior Analyst, and Marilyn Pilon, Research Officer.

*Witnesses: From Mothers Against Drunk Driving:* Susan MacAskill, National President; Joanne Jarvis, National Victims Services Coordinator; Susan McNab, Ottawa Chapter Co-founder.

Pursuant to Standing Order 108 (2), the Committee resumed a study of the Victims' Role in the criminal Justice System (*See Minutes of Proceedings of Tuesday, May 12, 1998, Meeting No. 68*).

Susan MacAskill, Susan McNab and Joanne Jarvis made a statement and answered questions.

At 12:05 p.m., the sitting was suspended.

At 12:08 p.m., the sitting resumed.

Pursuant to an order adopted Thursday, November 6, 1997 and following a 48 hour notice and consideration of the Steering Committee, Jack Ramsay moved, -- That the minister of Justice and officials of his department be invited to appear before the Committee to discuss inconsistencies in the financial situation of the firearms registry.

After debate, the motion was negated on the following division:

**YEAS NAYS**

Chuck Cadman Eleni Bakopanos

Paul E. Forseth Paul DeVillers

Jack Ramsay (3) Sheila Finestone

Derek Lee

John Maloney

John McKay (6)

At 12:25 p.m., the Committee adjourned to the call of the Chair.

Luc Fortin

Clerk of the Committee



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36th PARLIAMENT, 1st SESSION

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**MINUTES OF PROCEEDING**

Standing Committee  
on

**JUSTICE AND HUMAN RIGHTS**

Chair: Shaughnessy Cohen

**Meeting No. 80**

**Tuesday, June 9, 1998**

---

**ORDER OF THE DAY:**

Study of the victims' role in the criminal justice system

**WITNESS:**

*Dispute Resolution Centre for Ottawa-Carleton:*

Carole Eldridge, Executive Director.



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## MINUTES OF PROCEEDINGS

## MEETING No. 80

Tuesday, June 9, 1998

The Standing Committee on Justice and Human Rights met at 3:45 p.m. this day, in Room 371, West Block, the Chair, Shaughnessy Cohen, presiding.

*Members of the Committee present:* Shaughnessy Cohen, Paul DeVillers, Paul E. Forseth, Derek Lee, John Maloney and John McKay.

*Acting Member present:* Chuck Cadman for Garry Breitkreuz.

*In attendance : From the Research Branch of the Library of Parliament:* Philip Rosen, Senior Analyst, and Marilyn Pilon, Research Officer.

*Witness: From the Dispute Resolution Centre for Ottawa-Carleton:* Carole Eldridge, Executive Director.

Pursuant to Standing Order 108 (2), the Committee resumed a study of the Victims' Role in the criminal Justice System (*See Minutes of Proceedings of Tuesday, May 12, 1998, Meeting No. 68*).

The witness made a statement and answered questions.

At 16:53, the Committee adjourned to the call of the Chair.

Paulette Nadeau

Committee Clerk





HOUSE OF COMMONS OF CANADA  
36th PARLIAMENT, 1st SESSION

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**MINUTES OF PROCEEDINGS**

Standing Committee  
on

**JUSTICE AND HUMAN RIGHTS**

Chairman: Shaughnessy Cohen

**Meeting No. 81**

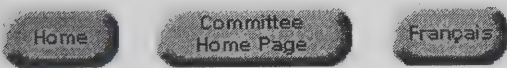
**Wednesday, June 10, 1998**

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**IN CAMERA**







MINUTES OF PROCEEDINGS

MEETING No. 81

Wednesday, June 10, 1998

The Standing Committee on Justice and Human Rights met *in camera* at 4:05 p.m. this day, in Room 701, La Promenade, the Chair, Shaughnessy Cohen, presiding.

*Members of the Committee present:* Michel Bellehumeur, Shaughnessy Cohen, Paul DeVillers, Derek Lee, Peter G. MacKay, John Maloney and Jack Ramsay.

*Acting Members present:* Chuck Cadman for Garry Breitkreuz, Ivan Grose for Eleni Bakopanos, Paddy Torsney for Nick Discepola, Judi Longfield for Andrew Telegdi.

*In attendance : From the Research Branch of the Library of Parliament:* Philip Rosen, Senior Analyst, Marilyn Pilon and Nancy Holmes, Research Officers.

The Committee proceeded to consider future business.

It was moved, -- That the Committee's budget in the amount of \$15,000 for the National Forum on the victims' role in the Criminal Justice System be adopted.

After debate, the motion was agreed to.

It was moved, -- That members and staff of the Standing Committee on Justice and Human Rights be authorized to travel to Kingston (Ontario), Nova Scotia and New Brunswick between August 4 and September 18, 1998, to review the Corrections and Conditional Release Act.

After debate, the motion was agreed to.

It was moved, -- That the Committee approve a travel budget in the amount of \$7,541.40 for the Standing Committee on Justice and Human Rights unofficial meetings and site visits in Kingston (Ontario) and a travel budget in the amount of \$32,173.95 to hold public hearings and to visit sites in Halifax (Nova Scotia) and Moncton (New Brunswick) in relation to the Committee's review of the Corrections and Conditional Release Act.

After debate, the motion was agreed to.

At 4:16 p.m., the Committee adjourned to the call of the Chair.

Luc Fortin

Clerk of the Committee



## MINUTES OF PROCEEDINGS

Standing Committee  
on

### JUSTICE AND HUMAN RIGHTS

Chair: Shaughnessy Cohen

### Meeting No. 82

Monday, June 15, 1998

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#### ORDER OF THE DAY:

Study of the victims' role in the criminal justice system

#### WITNESSES:

*As Individuals:*

Nigel Allan;

Arnold Blackstar;

Marvin Bloos;

Susanne Dhalin;

Wilma Derksen;

Priscilla de Villiers;

Arlène Gaudreault;

John Goertzen;

Joanne Jarvis;

Lynne Kainz;



Michael Lomer;  
Kathy J. Louis;  
Brenda McDonald;  
Collette Mandin-Kossowan;  
Joanne Marriott-Thorne;  
Karen O'Hara;  
Rick Prashaw;  
Gary Rosenfeldt;  
Michèle Roy;  
Janet-Constable Rushant;  
Elizabeth Sheehy, Professor;  
Steve Sullivan;  
Rosalee Turcotte;  
Peter Quinn;  
Joanne Vogh;  
Irvin Waller;  
Randy Wickins, Sergeant;  
Bob Witman.

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## MINUTES OF PROCEEDINGS

## MEETING No. 82

Monday, June 15, 1998

The Standing Committee on Justice and Human Rights met in a televised session at 9:15 a.m. this day, in Room 253-D, Centre Block, the Chair, Shaughnessy Cohen, presiding.

*Members of the Committee present:* Eleni Bakopanos, Michel Bellehumeur, Shaughnessy Cohen, Paul DeVillers, Peter G. MacKay, John Maloney, Richard Marceau and Andrew Telegdi.

*Acting Member present:* Chuck Cadman for Paul E. Forseth.

*In attendance : From the Research Branch of the Library of Parliament:* Philip Rosen, Senior Analyst, and Marilyn Pilon, Research Officer.

*Participants: As individual:* Kathy G. Louis; Rosalee Turcotte; Nigel Allan, Crown Attorney, Sex assault prosecutor; Arnold Blackstar, Director, Community Services; Brenda McDonald, Member of CAVEAT; Bob Whitman, New Leaf Program. *From the "Association québécoise Plaidoyer-Victimes inc.":* Arlene Gaudreault, Executive Director. *From the "Centre d'aide et de lutte contre les agressions à caractère sexuel":* Michelle Roy, Spokesperson. *From the Canadian Council of Criminal Defence Lawyers:* Marvin Bloos, President, Cabinet Beresh, DePoe, Cunningham. *From the Canadian Resource Centre for Victims of Crime:* Steve Sullivan, Executive Director. *From Canadians Against Violence Everywhere Advocating its termination:* Priscilla de Villiers, President. *From CAVEAT Alberta:* Colette Mandin-Kossowan, President. *From Church Council on Justice and Corrections:* Rick Prashaw, Communications Coordinator. *From Community Justice Initiative:* Joanne Vogt, Program participant "Stò'-lo Nation". *From Criminal Lawyers Association of Ontario:* Michael Lomer, Secretary. *From Edmonton Police Service:* Sergeant Randy Wickins. *From government of Nova Scotia:* Joanne Marriott-Thorne, Director, Victims' Services Division. *From the Government of Yukon Territories:* Janet-Constable Rushant, Victims Services Coordinator. *From the International Centre in the Prevention of Crime:* Irvin Waller. *From the Ministry of the Attorney General for British Columbia:* Susanne Dahlin, Director, Community Justice Branch, Victims Services Division. *From the Ministry of the Attorney General of Ontario:* Lynne Kainz, Victims Witness Assistance Coordinator. *From Mothers Against Drunk Driving:* Joanne Jarvis, National Victims Services Coordinator. *From Niagara Victims Support Services:* John Goertzen, President. *From the RCMP - Victims Services:* Peter Quinn. *From the Tearman Society:* Karen O'Hara, Executive Director, Women's Shelter. *From University of Ottawa:* Elizabeth Sheehy, Professor. *From Victims of Violence International:* Gary Rosenfeldt, Executive Director. *From Victims' Voice:* Wilma Derksen, Director.

Pursuant to Standing Order 108 (2), the Committee resumed a study of the Victims' Role in the criminal Justice System (*See Minutes of Proceedings of Tuesday, May 12, 1998, Meeting No. 68*).

The participants discussed the role of the victims in the criminal justice system.

At 10:47 a.m., the sitting was suspended.

At 11:18 a.m., the sitting resumed.

At 12:45 p.m., the sitting was suspended.

At 2:02 p.m., the sitting resumed.

At 3:32 p.m., the sitting was suspended.

At 4:05 p.m., the sitting resumed.

At 5:04 p.m., the Committee adjourned to the call of the Chair.

Luc Fortin

Clerk of the Committee



HOUSE OF COMMONS OF CANADA  
36th PARLIAMENT, 1st SESSION

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**MINUTES OF PROCEEDINGS**

Standing Committee  
on

**JUSTICE AND HUMAN RIGHTS**

Chair: Shaughnessy Cohen

**Meeting No. 83**

**Tuesday, June 16, 1998**

---

**ORDER OF THE DAY:**

Study of the victims' role in the criminal justice system

**WITNESSES:**

*"Association québécoise Plaidoyer-Victimes inc.":*

Arlène Gaudreault, Executive Director.

*Canadian Council of Criminal Defence Lawyers:*

Marvin Bloos, President, Beresh, DePoe, Cunningham.

*Canadian Resource Centre for Victims of Crime:*

Steve Sullivan, Executive Director.

*Canadians Against Violence Everywhere Advocating its Termination, Alberta:*

Collette Mandin-Kossowan, Chair.

*Church Council on Justice and Corrections:*

Lorraine Berzins, Analyst Coordinator.

*Criminal Lawyers Association of Ontario:*

Michael Lomer.

*Edmonton Police Service:*

Randy Wickins, Sergeant.

*Government of Nova Scotia:*

Joanne Marriott-Thorne.

*Government of Yukon Territory:*

Janet-Constable Rushant, Victims Services Coordinator.

*Ministry of the Attorney General for British Columbia:*

Susanne Dahlin, Director, Community Justice Branch, Victims Services Division.

*Ministry of the Attorney General of Ontario:*

Lynne Kainz, Victims Witness Assistance Coordinator.

*Mothers Against Drunk Driving:*

Susan McNab, President.

*National Parole Board:*

Kathy J. Louis, Regional Vice-Chairperson, Pacific Region.

*Niagara Victims Support Services:*

John Goertzen, President.

*"Regroupement québécois des centres d'aide et de lutte contre les agressions à caractère sexuel":*

Michèle Roy, Spokesperson.

*Royal Canadian Mounted Police:*

Peter Quinn, Victims Services.

*Tearman Society:*

Karen O'Hara, Executive Director, Tearman House for Battered Women.

*University of Ottawa:*

Elizabeth Sheehy, Professor.

*Victims of Violence International:*

Gary Rosenfeldt, Executive Director.

*Victims' Voice:*

Wilma Derksen.

*Sto:lo Nation:*

Joanne Vogh.

*As individuals:*

Nigel Allan;

Arnold Blackstar;

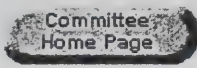
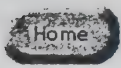
Brenda McDonald;

Rosalee Turcotte;

Bob Witman.







## MINUTES OF PROCEEDINGS

## MEETING No. 83

Tuesday, June 16, 1998

The Standing Committee on Justice and Human Rights met in a televised session at 9:07 a.m. this day, in Room 253-D, Centre Block, the Chair, Shaughnessy Cohen, presiding.

*Members of the Committee present:* Eleni Bakopanos, Shaughnessy Cohen, Paul DeVillers, Sheila Finestone, Paul E. Forseth, Peter G. MacKay, John Maloney, Peter Mancini, Richard Marceau and Andrew Telegdi.

*Acting Member present:* Chuck Cadman for Garry Breitkreuz.

*In attendance :* *From the Research Branch of the Library of Parliament:* Philip Rosen, Senior Analyst, and Marilyn Pilon, Research Officer.

*Participants: As individual:* Kathy G. Louis; Rosalee Turcotte; Nigel Allan, Crown Attorney, Sex assault prosecutor; Arnold Blackstar, Director, Community Services; Brenda McDonald, Member of CAVEAT; Bob Whitman, New Leaf Program. *From the "Association québécoise Plaidoyer-Victimes inc.":* Arlene Gaudreault, Executive Director. *From the "Centre d'aide et de lutte contre les agressions à caractère sexuel":* Michelle Roy, Spokesperson. *From the Canadian Council of Criminal Defence Lawyers:* Marvin Bloos, President, Cabinet Beresh, DePoe, Cunningham. *From the Canadian Resource Centre for Victims of Crime:* Steve Sullivan, Executive Director. *From CAVEAT Alberta:* Colette Mandin-Kossowan, President. *From Church Council on Justice and Corrections:* Lorraine Berzins, Analysis Coordinator. *From Community Justice Initiative:* Joanne Vogt, Program participant "Stò'-lo Nation". *From Criminal Lawyers Association of Ontario:* Michael Lomer, Secretary. *From Edmonton Police Service:* Sergeant Randy Wickins. *From government of Nova Scotia:* Joanne Marriott-Thorne, Director, Victims' Services Division. *From the Government of Yukon Territories:* Janet-Constable Rushant, Victims Services Coordinator. *From the Ministry of the Attorney General for British Columbia:* Susanne Dahlin, Director, Community Justice Branch, Victims Services Division. *From the Ministry of the Attorney General of Ontario:* Lynne Kainz, Victims Witness Assistance Coordinator. *From Mothers Against Drunk Driving:* Susan McNab, Co-founder of the Ottawa Section. *From Niagara Victims Support Services:* John Goertzen, President. *From the RCMP - Victims Services:* Peter Quinn. *From the Tearman Society:* Karen O'Hara, Executive Director, Women's Shelter. *From University of Ottawa:* Elizabeth Sheehy, Professor. *From Victims of Violence International:* Gary Rosenfeldt, Executive Director. *From Victims' Voice:* Wilma Derksen, Director.

Pursuant to Standing Order 108 (2), the Committee resumed a study of the Victims' Role in the criminal Justice System (*See Minutes of Proceedings of Tuesday, May 12, 1998, Meeting No. 68*).

The participants discussed the role of the victims in the criminal justice system.

At 10:15 a.m., the sitting was suspended.

At 10:55 a.m., the sitting resumed.

At 12:43 p.m., the Committee adjourned to the call of the Chair.

Luc Fortin  
Clerk of the Committee

HOUSE OF COMMONS OF CANADA  
36th PARLIAMENT, 1st SESSION

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**MINUTES OF PROCEEDINGS**

Standing Committee  
on

**JUSTICE AND HUMAN RIGHTS**

Chairman: Shaughnessy Cohen

**Meeting No. 84**

**Tuesday, June 16, 1998**

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**IN CAMERA**





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## MINUTES OF PROCEEDINGS

MEETING No. 84

Tuesday, June 16, 1998

The Standing Committee on Justice and Human Rights met *in camera* at 2:08 p.m. this day, in Room 371, West Block, the Chair, Shaughnessy Cohen, presiding.

*Members of the Committee present:* Eleni Bakopanos, Michel Bellehumeur, Shaughnessy Cohen, Paul DeVillers, Sheila Finestone, Derek Lee, Peter G. MacKay, John Maloney, Peter Mancini, John McKay and Andrew Telegdi.

*Acting Member present:* Chuck Cadman for Garry Breitkreuz.

*In attendance : From the Research Branch of the Library of Parliament:* Philip Rosen, Senior Analyst, and Marilyn Pilon, Research Officer.

Pursuant to Standing Order 108 (2), the Committee resumed a study of the Victims' Role in the criminal Justice System (*See Minutes of Proceedings of Tuesday, May 12, 1998, Meeting No. 68*).

The Committee gave instruction to the research staff.

At 3:10 p.m., the Committee adjourned to the call of the Chair.

Luc Fortin

Clerk of the Committee



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HOUSE OF COMMONS OF CANADA  
36th PARLIAMENT, 1st SESSION

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**MINUTES OF PROCEEDINGS**

Standing Committee  
on

**JUSTICE AND HUMAN RIGHTS**

Chairman: Shaughnessy Cohen, Lib.

**Meeting No. 85**

**Tuesday, October 6, 1998**

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**ORDER OF THE DAY:**

Election of a Chair and Vice-Chairs





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## MINUTES OF PROCEEDINGS

Meeting No. 85

Tuesday, October 6, 1998

The Standing Committee on Justice and Human Rights met at 9:05 a.m. this day, in Room 371, West Block, for the purpose of electing a Chair, pursuant to Standing Orders 106(1) and 106(2).

*Member(s) of the Committee present:* Eleni Bakopanos, Michel Bellehumeur, Chuck Cadman, Shaughnessy Cohen, Paul DeVillers, Ivan Grose, Derek Lee, Peter MacKay, John Maloney, Peter Mancini and John Reynolds.

*Acting Member(s) present:* Ovid Jackson for Jacques Saada, David Pratt for Reg Alcock, Larry McCormick for John McKay.

*In attendance: From the Library of Parliament:* Marilyn Pilon; Researcher; Philip Rosen, Senior analyst.

The Clerk presided over the election of a Chair.

On motion of Ovid Jackson, seconded by John Reynolds, it was agreed, -- That Shaughnessy Cohen do take the Chair of the Committee as Chairperson.

The Chairperson took the Chair.

On Motion of Paul DeVillers, it was agreed, -- That John Maloney be elected Vice-Chair of the Committee.

On Motion of John Reynolds, it was agreed, -- That Chuck Cadman be elected Vice-Chair of the Committee.

The Committee proceeded to consider its future business.

At 9:16 a.m., the Committee adjourned to the call of the Chair.

Roger Préfontaine

Clerk of the Committee



HOUSE OF COMMONS OF CANADA  
36th PARLIAMENT, 1st SESSION

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**MINUTES OF PROCEEDINGS**

Standing Committee  
on

**JUSTICE AND HUMAN RIGHTS**

Chairman: Shaughnessy Cohen, Lib.

**Meeting No. 86**

**Wednesday, October 7, 1998**

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**ORDER OF THE DAY:**

The Committee met to consider a motion by Peter MacKay, M.P.





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## MINUTES OF PROCEEDINGS

Meeting No. 86

Wednesday, October 7, 1998

The Standing Committee on Justice and Human Rights met at 3:37 p.m. this day, in Room 371, West Block, the Chair, Shaughnessy Cohen, presiding.

*Member(s) of the Committee present:* Eleni Bakopanos, Chuck Cadman, Shaughnessy Cohen, Paul DeVillers, Ivan Grose, Derek Lee, Peter MacKay, John Maloney, John Reynolds and Jacques Saada.

*Acting Member(s) present:* Lou Sekora for Reg Alcock, Sheila Finestone for John McKay, Jim Gouk for Jim Abbott, Daniel Turp for Michel Bellehumeur, Gérard Asselin for Richard Marceau.

*Other Member present:* Stéphane Bergeron

*In attendance: From the Library of Parliament:* Philip Rosen, Senior Analyst.

Pursuant to Standing Order 108(2), the Committee met to consider a motion by Peter MacKay, M.P.

Peter moved, -- That the Standing Committee on Justice and Human Rights conduct an independent review into PMO's relationship with the RCMP.

John Reynolds moved, -- That the motion be amended by adding the following words: "Solicitor General Canada and Foreign Affairs Department" after the words Prime Minister Office.

After debate, the amendment was agreed to.

After debate, the motion as amended, was negated by the following vote:

**YEAS:** Gérard Asselin **NAYS:** Eleni Bakopanos

Chuck Cadman Paul De Villers

Jim Gouk Sheila Finestone

Peter MacKay Ivan Grose

John Reynolds Derek Lee

Daniel Turp (6) John Maloney

Jacques Saada

Lou Sekora (8)

At 4:41 p.m., the Committee adjourned to the call of the Chair.

Roger Préfontaine

Clerk of the Committee

HOUSE OF COMMONS OF CANADA  
36th PARLIAMENT, 1st SESSION

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**MINUTES OF PROCEEDINGS**

Standing Committee  
on

**JUSTICE AND HUMAN RIGHTS**

Chair: Shaughnessy Cohen, Lib.

**Meeting No. 87**

**Monday, October 19, 1998**

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**ORDER OF THE DAY:**

Consideration of a motion by Mr. Peter MacKay, M.P.



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## MINUTES OF PROCEEDINGS

Meeting No. 87

Monday, October 19, 1998

The Standing Committee on Justice and Human Rights met at 3:44 p.m. this day, in Room 371, West Block, the Chair, Shaughnessy Cohen, presiding.

*Member(s) of the Committee present:* Jim Abbott, Reg Alcock, Michel Bellehumeur, Shaughnessy Cohen, Ivan Grose, Peter MacKay, John Maloney, Richard Marceau, John McKay and Jacques Saada.

*Acting Member(s) present:* Randy White for John Reynolds, Dick Harris for Chuck Cadman, Joe Jordan for Derek Lee, Ovid Jackson for Paul DeVillers, John Richardson for Eleni Bakopanos, Peter Stoffer for Peter Mancini.

*In attendance: From the Library of Parliament:* Marilyn Pilon, Researcher and Philip Rosen, Senior Analyst.

Pursuant to Standing Order 108(2) the Committee met to consider a motion by Mr. Peter MacKay, M.P.

Peter MacKay moved, -- "That the Standing Committee on Justice and Human Rights summon the following individuals to testify under oath before the Committee:

- Honourable Andy Scott, P.C., M.P.
- Mr. Dick Proctor, M.P.
- Mr. Frederick D. Toole, Q.C."

After debate, the motion was negated on the following division:

**YEAS:** Jim Abbott **NAYS:** Reg Alcock

Michel Bellehumeur Ivan Grose

Dick Harris Ovid Jackson

Peter MacKay Joe Jordan

Richard Marceau John Maloney

Peter Stoffer John McKay

Randy White (7) John Richardson



Jacques Saada (8)

At 4:30 p.m., the sitting was suspended.

At 4:35 p.m., the sitting resumed in camera.

The Committee proceeded to discuss its future business.

It was agreed, -- That the Committee begin hearings on its Order of Reference dated Thursday, October 30, 1997, to bring in a bill to amend those sections of the Criminal Code which deal with impaired driving, on or about the 19<sup>th</sup> of November and report to the House on or about the 15<sup>th</sup> of May 1999.

At 5:00 p.m., the Committee adjourned to the call of the Chair.

Roger Préfontaine

Clerk of the Committee

HOUSE OF COMMONS OF CANADA  
36th PARLIAMENT, 1st SESSION

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**MINUTES OF PROCEEDINGS**

Standing Committee  
on

**JUSTICE AND HUMAN RIGHTS**

Chair: Shaughnessy Cohen, Lib.

**Meeting No. 88**

**Tuesday, October 20, 1998**

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**ORDER OF THE DAY:**

Consideration of Bill C-208, An Act to amend the Access to Information Act

**WITNESSES:**

*Department of Justice:*

Brian Jarvis, Counsel, Public Law Policy Section;

Michael Zigayer, Senior Counsel, Criminal Law Policy Section.

*As Individual:*

Ken Rubin.



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## MINUTES OF PROCEEDINGS

Meeting No. 88

Tuesday, October 20, 1998

The Standing Committee on Justice and Human Rights met at 9:11 a.m. this day, in Room 308, West Block, the Chair, Shaughnessy Cohen, presiding.

*Member(s) of the Committee present:* Reg Alcock, Eleni Bakopanos, Michel Bellehumeur, Chuck Cadman, Shaughnessy Cohen, Paul DeVillers, Ivan Grose, Derek Lee, John Maloney and John McKay.

*Acting Member(s) present:* Colleen Beaumier for Jacques Saada.

*In attendance: From the Library of Parliament:* Philip Rosen, Senior Analyst.

*From the Committees and Legislative Services:* Paulette Nadeau and Suzanne Verville, Legislative Clerks.

*Witness(es): As Individual:* Ken Rubin, Public Interest Researcher and Access to Information Expert;  
*From the Department of Justice:* Michael Zigayer, Senior Counsel, Criminal Law Policy Section; Lita Cyr, Counsel, Information Law and Privacy; Brian Jarvis, Counsel, Public Law Policy Section.

Pursuant to its Order of Reference dated Tuesday April 21, 1998, the Committee resumed consideration of Bill C-208, An Act to amend the Access to Information Act (See minutes of proceedings dated Wednesday May 6, 1998, meeting No. 65)

The witnesses answered questions.

The Chair called Clause 1.

Colleen Beaumier moved, -- That Bill C-208, in Clause 1, be amended by replacing lines 7 to 13 on page 1 and lines 1 to 5 on page 2 with the following:

**"67.1** (1) No person shall, with intent to deny a right of access under this Act,

- a. destroy, mutilate or alter a record;
- b. falsify a record or make a false record;
- c. conceal a record; or
- d. cause any person to do anything mentioned in any of paragraphs (a) to (c).

(2) Every person who contravenes subsection (1) is guilty of

- a. an indictable offence and liable to imprisonment for a term not exceeding two years or to a fine not exceeding ten thousand dollars, or to both; or
- b. an offence punishable on summary conviction and liable to imprisonment for a term not exceeding six months or to a fine not exceeding five thousand dollars, or to both."

After debate, Michel Bellehumeur moved the following sub-amendment, -- That the amendment be amended by replacing the words "cause any person in 67.1 (1)(d)" with the following:

"direct, propose, counsel or cause any person in any manner".

After debate, the question was put on the sub-amendment and it was agreed to.

The question was put on the amendment, as amended, and it was agreed to.

Clause 1, as amended, carried.

The Title carried.

The Bill, as amended, carried.

ORDERED, -- That Bill C-208, An Act to amend the Access to Information Act, as amended, be reprinted for the use of the House of Commons at the Report Stage.

ORDERED, -- That the Chair report Bill C-208 with an amendment to the House as the Twelfth Report of the Committee.

At 10:26 a.m., the Committee adjourned to the call of the Chair.

Roger Préfontaine

Clerk of the Committee



HOUSE OF COMMONS OF CANADA  
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**MINUTES OF PROCEEDINGS**

Standing Committee  
on

**JUSTICE AND HUMAN RIGHTS**

Chair: Shaughnessy Cohen, Lib.

**Meeting No. 89**

**Tuesday, October 20, 1998**

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**IN CAMERA**



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## MINUTES OF PROCEEDINGS

Meeting No. 89

Tuesday, October 20, 1998

The Standing Committee on Justice and Human Rights met at 3:37 p.m. this day, in Room 308, West Block, the Chair, Shaughnessy Cohen, presiding.

*Member(s) of the Committee present:* Eleni Bakopanos, Michel Bellehumeur, Chuck Cadman, Shaughnessy Cohen, Paul DeVillers, Ivan Grose, Derek Lee, Peter MacKay, John Maloney, Richard Marceau, John McKay and Jacques Saada.

*Acting Member present:* Randy White for John Reynolds.

*In attendance: From the Library of Parliament:* Marilyn Pilon, Researcher and Philip Rosen, Senior Analyst.

Pursuant to Standing Order 108 (2), a study of the Victims' Role in the Criminal Justice System.

The Committee commenced consideration of a draft report.

At 5:16 p.m., the Committee adjourned to the call of the Chair.

Roger Préfontaine

Clerk of the Committee



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36th PARLIAMENT, 1st SESSION

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**MINUTES OF PROCEEDINGS**

Standing Committee  
on

**JUSTICE AND HUMAN RIGHTS**

Chair: Shaughnessy Cohen, Lib.

**Meeting No. 90**

**Wednesday, October 21, 1998**

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**IN CAMERA**





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## MINUTES OF PROCEEDINGS

Meeting No. 90

Wednesday, October 21, 1998

The Standing Committee on Justice and Human Rights met at 3:35 p.m. this day, in Room 308, West Block, the Chair, Shaughnessy Cohen, presiding.

*Member(s) of the Committee present:* Reg Alcock, Eleni Bakopanos, Michel Bellehumeur, Chuck Cadman, Shaughnessy Cohen, Paul DeVillers, Ivan Grose, Derek Lee, Peter MacKay, John Maloney, Peter Mancini, Richard Marceau, John McKay and Jacques Saada.

*Acting Member present:* Randy White for John Reynolds.

*In attendance: From the Library of Parliament:* Marilyn Pilon, Researcher; Philip Rosen, Senior Analyst.

Pursuant to Standing Order 108 (2), a study of the Victims' Role in the Criminal Justice System

The Committee continued its consideration of a draft report.

It was agreed, -- That the Committee authorize the printing of a dissenting opinion by the Bloc Québécois as an appendix to the report and that it be in the Clerk's possession no later than Monday, October 26, 1998.

It was agreed, -- That the Clerk order Martin's Criminal Codes for the members of the Committee and the Research Staff.

At 5:35 p.m., the Committee adjourned to the call of the Chair.

Roger Préfontaine

Clerk of the Committee



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36th PARLIAMENT, 1st SESSION

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**MINUTES OF PROCEEDINGS**

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**JUSTICE AND HUMAN RIGHTS**

Chair: Shaughnessy Cohen, Lib.

**Meeting No. 91**

**Thursday, October 22, 1998**

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**IN CAMERA**





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## MINUTES OF PROCEEDINGS

Meeting No. 91

Thursday, October 22, 1998

The Standing Committee on Justice and Human Rights met at 9:15 a.m. this day, in Room 308, West Block, the Chair, Shaughnessy Cohen, presiding.

*Member(s) of the Committee present:* Eleni Bakopanos, Michel Bellehumeur, Chuck Cadman, Shaughnessy Cohen, Ivan Grose, Derek Lee, Peter MacKay, John Maloney, John McKay and Jacques Saada.

*Acting Member present:* Randy White for John Reynolds.

*In attendance: From the Library of Parliament:* Marilyn Pilon, Researcher; Philip Rosen, Senior Analyst.

Pursuant to Standing Order 108 (2), a study of the Victims' Role in the Criminal Justice System

The Committee proceeded to consider a draft report.

It was agreed, --That the Committee workload draft report on the drafting of a bill to amend those sections of the Criminal Code that deal with impaired driving be adopted as the Committee's 13<sup>th</sup> Report.

It was agreed, -- That the Chair table the Report in the House of Commons at the first possible opportunity.

At 11:04 a.m., the Committee adjourned to the call of the Chair.

Roger Préfontaine

Clerk of the Committee



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**MINUTES OF PROCEEDINGS**

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**JUSTICE AND HUMAN RIGHTS**

Chair: Shaughnessy Cohen, Lib.

**Meeting No. 92**

**Tuesday, October 27, 1998**

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**ORDER OF THE DAY:**

Consideration of a draft report on the Victims' role in the criminal justice system

**WITNESSES:**

*Department of Justice:*

Jodie van Dieen, Counsel, Criminal Law Policy Section;

Chris Ram, Counsel, Criminal Law Policy Section;

Yvan Roy, Senior General Counsel, Criminal Law Policy Section.



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## MINUTES OF PROCEEDINGS

Meeting No. 92

Tuesday, October 27, 1998

The Standing Committee on Justice and Human Rights met at 9:07 a.m. this day, in Room 536, Wellington Building, the Chair, Shaughnessy Cohen, presiding.

*Member(s) of the Committee present:* Eleni Bakopanos, Michel Bellehumeur, Chuck Cadman, Shaughnessy Cohen, Paul DeVillers, Ivan Grose, Derek Lee, Peter MacKay, John Maloney, Peter Mancini, Richard Marceau, John Reynolds, Jacques Saada.

*In attendance: From the Library of Parliament:* Marilyn Pilon, Researcher; Philip Rosen, Senior Analyst.

*Witness(es): From the Department of Justice:* Yvan Roy, Senior General Counsel, Criminal Law Policy Section; Chris Ram, Counsel, Criminal Law Policy Section; Jodie Van Dieen, Counsel, Criminal Law Policy Section.

At 9:15 a.m., the Committee proceeded to sit in camera.

Pursuant to Standing Order 108 (2), the Committee continued its consideration of a draft report on the Victims' role in the criminal justice system.

It was agreed, -- That the Draft Report, as amended, be concurred in.

It was agreed, -- That the Chair be authorized to make such grammatical and editorial changes to the Report as may be necessary without changing the substance of the Report.

It was agreed, -- That pursuant to Standing Order 109, the Committee request that the Government provide a comprehensive response to this Report.

It was agreed, -- That the Chair table the Report as the Fourteenth Report of the Committee.

At 9:30 a.m., the Committee proceeded to sit in public.

The Order of Reference dated Thursday, October 8, 1998, being read as follows:

ORDERED, -- That Bill C-51, An Act to amend the Criminal Code, the Controlled drugs and the Substances Act and the Corrections and Conditional Release Act be now read a second time and referred to the Standing Committee on Justice and Human Rights.

The Chair called Clause 1.

The witnesses answered questions.

At 10:42 a.m., the Committee adjourned to the call of the Chair.

Roger Préfontaine

Clerk of the Committee



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**MINUTES OF PROCEEDINGS**

Standing Committee  
on

**JUSTICE AND HUMAN RIGHTS**

Chair: Shaughnessy Cohen, Lib.

**Meeting No. 93**

**Wednesday, October 28, 1998**

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**ORDER OF THE DAY:**

Consideration of Bill C-51, An Act to amend the Criminal Code, the Controlled Drugs and the Substances Act and the Corrections and Conditional Release Act

**APPEARING:**

Hon. Anne McLellan, Minister of Justice and Attorney General of Canada

**WITNESSES:**

*Department of Justice:*

Richard G. Mosley, Assistant Deputy Minister, Criminal Law Policy and Community  
Justice;

Chris Ram, Counsel, Criminal Law Policy Section.



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## MINUTES OF PROCEEDINGS

Meeting No. 93

Wednesday, October 28, 1998

The Standing Committee on Justice and Human Rights met at 4:40 p.m. this day. in Room 269, West Block, the Chair, Shaughnessy Cohen, presiding.

*Members of the Committee present:* Jim Abbott, Reg Alcock, Eleni Bakopanos, Michel Bellehumeur, Chuck Cadman, Shaughnessy Cohen, Derek Lee, Peter MacKay, John Maloney, John McKay, John Reynolds, Jacques Saada.

*In attendance: From the Library of Parliament:* Philip Rosen, Senior Analyst.

*Appearing:* The Hon. Anne McLellan, Minister of Justice and Attorney General of Canada.

*Witnesses: From the Department of Justice:* Richard G. Mosley, Assistant Deputy Minister, Criminal Law Policy and Community Justice Branch; Yvan Roy, Senior General Counsel, Criminal Law Policy Section; Chris Ram, Counsel, Criminal Law Policy Section; Jodie Van Dieen, Counsel, Criminal Law Policy Section.

Pursuant to its Order of Reference of Thursday, October 8, 1998, the Committee resumed consideration of Bill C-51, An Act to amend the Criminal Code, the Controlled Drugs and the Substances Act and the Corrections and Conditional Release Act (*See Minutes of Proceedings, Tuesday, October 27, 1998, Meeting No. 92*).

The Minister made an opening statement and with the other witnesses answered questions.

At 5:36 p.m., the Committee adjourned to the call of the Chair.

Roger Préfontaine

Clerk of the Committee



HOUSE OF COMMONS OF CANADA  
36th PARLIAMENT, 1st SESSION

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**MINUTES OF PROCEEDINGS**

Standing Committee  
on

**JUSTICE AND HUMAN RIGHTS**

Chair: Shaughnessy Cohen, Lib.

**Meeting No. 94**

**Thursday, October 29, 1998**

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**ORDER OF THE DAY:**

Consideration of Bill C-51, An Act to amend the Criminal Code, the Controlled Drugs and the Substances Act and the Corrections and Conditional Release Act

**WITNESSES:**

*Canadian Police Association:*

André Nadon, Vice-President for Quebec;

Jon Netelenbos, Vice-President.

*Correctional Service of Canada:*

Denis Couillard, Portfolio Manager, Policy Division, Strategic Planning;

Michel Laprade, Legal Counsel.

*Department of Justice:*

Donald K. Piragoff, General Counsel, Criminal Law Policy;

Chris Ram, Counsel, Criminal Law Policy Section;

Jodie van Dieen, Counsel, Criminal Law Policy Section.





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## MINUTES OF PROCEEDINGS

Meeting No. 94

Thursday, October 29, 1998

The Standing Committee on Justice and Human Rights met at 10:08 a.m. this day, in Room 701, La Promenade Building, the Chair, Shaughnessy Cohen, presiding.

*Member(s) of the Committee present:* Jim Abbott, Reg Alcock, Eleni Bakopanos, Michel Bellehumeur, Chuck Cadman, Shaughnessy Cohen, Paul DeVillers, Derek Lee, John Maloney, Richard Marceau, John McKay and Jacques Saada.

*Acting Member present:* Jim Gouk for John Reynolds..

*In attendance: From the Library of Parliament:* Philip Rosen, Senior Analyst.

*From the Committees and Legislative Services:* Paulette Nadeau, Legislative Clerk.

*Witness(es): From the Canadian Police Association:* Jon Netelenbos, Vice-President; André Nadon, Quebec Vice-President. *From the Department of Justice:* Chris Ram, Counsel, Criminal Law Policy Section; Jodie Van Dieen, Counsel, Criminal Law Policy Section; Michel Laprade, Legal Counsel, Legal Services, Correctional Service of Canada; Donald K. Piragoff, General Counsel, Criminal Law Policy Section. **From Correctional Service Canada:** Denis Couillard, Policy Division, Strategic Planning and Policy.

Pursuant to its Order of Reference of Thursday, October 8, 1998, the Committee resumed consideration of Bill C-51, An Act to amend the Criminal Code, the Controlled Drugs and the Substances Act and the Corrections and Conditional Release Act (*See Minutes of Proceedings, Tuesday, October 27, 1998, Meeting No. 92*).

Jon Netelenbos made an opening statement and with the other witnesses answered questions.

At 10:45 a.m., the sitting was suspended.

At 11:00 a.m., the sitting was resumed.

The Chair called Clause 1.

Clauses 1 to 7 carried.

On Clause 8,

Jim Gouk moved, -- That Bill C-51, in clause 8, be amended by replacing line 21 on page 5 with the following:

**"8. (1) Subsection 212(2) of the Act is replaced by the following:**

(2) Notwithstanding paragraph (1)(j), every person who lives wholly or in part on the avails of prostitution of another person who is under the age of eighteen years is guilty of an indictable offence and liable to imprisonment for a term not exceeding fourteen years and to a minimum punishment of not less than one year.

**(2) Subsections 212(4) and (5) of the Act"**

After debate, the question being put on the amendment, it was negatived.

Jim Gouk moved, -- That Bill C-51, in Clause 8, be amended by replacing line 29 on page 5 with the following:

"for a term not exceeding five years and to the following minimum punishment, namely,

- a. for a first offence, to imprisonment for not less than 30 days; and
- b. for each subsequent offence, to imprisonment for not less than 90 days."

After debate, the question being put on the amendment, it was negatived.

Clause 8, carried.

Clauses 9 and 10 carried.

On Clause 11,

Eleni Bakopanos moved, -- That Bill C-51, in Clause 11, be amended by replacing lines 7 to 9 on page 8 with the following:

"other Act of Parliament and the justice is satisfied that there are reasonable grounds to believe that, contrary to this Act or any other Act of Parliament, any valuable mineral is deposited in a place or held by a person, the justice"

After debate, the question being put on the amendment, it was adopted.

Clause 11, as amended, carried.

Clauses 12 to 15 carried.

On Clause 16,

After debate, Clause 16 was deleted.

Clauses 17 to 50 carried.

On Clause 51,

Michel Bellehumeur moved, -- That Bill C-51, in Clause 51, be amended by replacing lines 12 to 15 on page 29 with the following:

"(iv) an offence set out in Schedule II, or"

After debate, the question being put on the amendment, it was negatived.

Jim Gouk moved, -- That Bill C-51, in Clause 51, be amended by replacing lines 15 and 16 on page 29 with the following:

"Code,

(v) a designated substance offence within the meaning of Part XII.2 of the *Criminal Code*, or

(vi) a criminal organization offence with-

After debate, it was negatived.

Michel Bellehumeur moved, -- That Bill C-51, in Clause 51, be amended by replacing line 19 on page 29 with the following:

"under subsection 82(2), or

(vi) an offence under section 463 of the *Criminal Code* that was prosecuted by indictment in relation to an offence set out in paragraph (1)(e), (2)(f) or (3)(e) of Schedule II;"

After debate, the question being put on the amendment, it was negatived on division.

Clause 51 carried on division.

Clauses 52 to 55 carried on division.

The Title carried.

The Bill, as amended, carried.

ORDERED, -- That the Chair report Bill C-51 with amendments to the House as the Fifteenth Report of the Committee.

At 12:14 p.m., the Committee adjourned to the call of the Chair.

Roger Préfontaine

Clerk of the Committee



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**MINUTES OF PROCEEDINGS**

Standing Committee  
on

**JUSTICE AND HUMAN RIGHTS**

Chair: Shaughnessy Cohen, Lib.

**Meeting No. 95**

**Tuesday, November 3, 1998**

---

**ORDER OF THE DAY:**

Bill C-40, an Act respecting extradition, to amend the Canada Evidence Act, the Criminal Code, the Immigration Act and the Mutual Legal Assistance in Criminal Matters Act and to amend and repeal other Acts in consequence

**WITNESSES:**

*Department of Justice:*

Jacques Lemire, Counsel, International Assistance Group;

Don Piragoff, General Counsel, Criminal Law Policy Section.





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## MINUTES OF PROCEEDINGS

Meeting No. 95

Tuesday, November 3, 1998

The Standing Committee on Justice and Human Rights met at 9:10 a.m. this day, in Room 701, La Promenade Building, the Chair, Shaughnessy Cohen, presiding.

*Member(s) of the Committee Committee present:* Eleni Bakopanos, Chuck Cadman, Shaughnessy Cohen, Paul DeVillers, Ivan Grose, Derek Lee, Peter MacKay, John Maloney, John McKay, John Reynolds, Jacques Saada.

*In attendance: From the Library of Parliament:* David Goetz, Researcher and Philip Rosen, Senior Analyst.

*Witness(es): From the Department of Justice:* Don Piragoff, General Counsel, Criminal Law Policy Section; Jacques Lemire, Counsel, International Assistance Group.

The Order of Reference dated Tuesday, October 20, 1998, being read as follows:

ORDERED, -- That Bill C-40, an Act respecting extradition, to amend the Canada Evidence Act, the Criminal Code, the Immigration Act and the Mutual Legal Assistance in Criminal Matters Act and to amend and repeal other Acts in consequence be now read a second time and referred to the Standing Committee on Justice and Human Rights.

The Chair called Clause 1.

The witnesses answered questions.

At 9:11 a.m., the sitting was suspended.

At 9:14 a.m., the sitting resumed.

At 10:55 a.m., the sitting was suspended.

At 11:00 a.m., the sitting resumed in camera.

It was agreed, -- That the Committee travel to Iqaluit during the week of November 22 to hold hearings on Bill C-57, An Act to amend the Nunavut Act with respect to the Nunavut Court of Justice and to amend other Acts in consequence.

It was agreed, -- That pursuant to Standing Order 108(1), a Sub-Committee of the Standing Committee on Justice and Human Rights be established to proceed with the statutory review of the Corrections and Conditional Release Act and to report thereon to the Committee; that it be chaired by John Maloney and that the Whips of all parties designate the other Members to sit on the Sub-Committee.

At 11:23 a.m., the Committee adjourned to the call of the Chair.

Roger Préfontaine

Clerk of the Committee

HOUSE OF COMMONS OF CANADA  
36th PARLIAMENT, 1st SESSION

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**MINUTES OF PROCEEDINGS**

Standing Committee  
on

**JUSTICE AND HUMAN RIGHTS**

Chair: Shaughnessy Cohen, Lib.

**Meeting No. 96**

**Wednesday, November 4, 1998**

---

**ORDER OF THE DAY:**

Bill C-40, an Act respecting extradition, to amend the Canada Evidence Act, the Criminal Code, the Immigration Act and the Mutual Legal Assistance in Criminal Matters Act and to amend and repeal other Acts in consequence

**APPEARING:**

Honourable Anne McLellan, Minister of Justice and Attorney General of Canada.

**WITNESSES:**

*Department of Justice:*

Jacques Lemire, Counsel, International Assistance Group;

Don Piragoff, General Counsel, Criminal Law Policy Section.



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## MINUTES OF PROCEEDINGS

Meeting No. 96

Wednesday, November 4, 1998

The Standing Committee on Justice and Human Rights met at 4:34 p.m. this day, in Room 308, West Block, the Chair, Shaughnessy Cohen, presiding.

*Members of the Committee present:* Eleni Bakopanos, Chuck Cadman, Shaughnessy Cohen, Paul DeVillers, Derek Lee, Peter MacKay, John Maloney, John Reynolds, Jacques Saada.

*Acting Member present:* Real Menard for Michel Bellehumeur.

*In attendance: From the Library of Parliament:* Philip Rosen, Senior Analyst.

*From the Committees and Legislative Services Directorate:* Suzanne Verville, Legislative Clerk.

*Appearing:* Hon. Anne McLellan, Minister of Justice and Attorney General of Canada.

*Witnesses: From the Department of Justice:* Don Piragoff, General Counsel, Criminal Law Policy Section; Jacques Lemire, Counsel, International Assistance Group.

Pursuant to its Order of Reference of Tuesday, October 20, 1998, the Committee resumed consideration of Bill C-40, an Act respecting extradition, to amend the Canada Evidence Act, the Criminal Code, the Immigration Act and the Mutual Legal Assistance in Criminal Matters Act and to amend and repeal other Acts in consequence (*See Minutes of Proceedings, Tuesday, November 3, 1998, Issue No. 95*).

The Minister made an opening statement and with the other witnesses answered questions.

At 5:29 p.m., the Committee adjourned to the call of the Chair.

Roger Préfontaine

Clerk of the Committee





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36th PARLIAMENT, 1st SESSION

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**MINUTES OF PROCEEDINGS**

Standing Committee  
on

**JUSTICE AND HUMAN RIGHTS**

Chair: Shaughnessy Cohen, Lib.

**Meeting No. 97**

**Thursday, November 5, 1998**

---

**ORDER OF THE DAY:**

Bill C-40, an Act respecting extradition, to amend the Canada Evidence Act, the Criminal Code, the Immigration Act and the Mutual Legal Assistance in Criminal Matters Act and to amend and repeal other Acts in consequence

**APPEARING:**

The Honourable Lloyd Axworthy, Minister of Foreign Affairs

**WITNESSES:**

*Department of Foreign Affairs and International Trade:*

Alan Kessel, Director, United Nations, Criminal, and Treaty Law Division;

Darryl Robinson, Foreign Service Officer , United Nations, Human Rights and Humanitarian Law Section.

*Department of Justice:*

Don Piragoff, General Counsel, Criminal Law Policy Section.



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## MINUTES OF PROCEEDINGS

Meeting No. 97

Thursday, November 5, 1998

The Standing Committee on Justice and Human Rights met at 4:08 p.m. this day, in Room 308, West Block, the Chair, Shaughnessy Cohen, presiding.

*Members of the Committee present:* Reg Alcock, Eleni Bakopanos, Chuck Cadman, Shaughnessy Cohen, Paul DeVillers, Derek Lee, Peter MacKay, John Maloney and John McKay.

*Acting Members present:* Daniel Turp for Michel Bellehumeur and John Richardson for Jacques Saada.

*In attendance: From the Library of Parliament:* Philip Rosen, Senior Analyst and David Goetz, Researcher.

*Appearing:* The Hon. Lloyd Axworthy, Minister of Foreign Affairs.

*Witnesses: From the Department of Foreign Affairs and International Trade:* Alan Kessel, Director, United Nations, Criminal and Treaty Law Division; Darryl Robinson, United Nations, Human Rights and Humanitarian Law Section; *From the Department of Justice:* Don Piragoff, General Counsel, Criminal Law Policy Section.

Pursuant to its Order of Reference of Tuesday, October 20, 1998, the Committee resumed consideration of Bill C-40, an Act respecting extradition, to amend the Canada Evidence Act, the Criminal Code, the Immigration Act and the Mutual Legal Assistance in Criminal Matters Act and to amend and repeal other Acts in consequence (*See Minutes of Proceedings, Tuesday, November 3, 1998, Issue No. 95*).

The Minister made an opening statement and with the other witnesses answered questions.

At 5:24 p.m., the Committee adjourned to the call of the Chair.

Roger Préfontaine

Clerk of the Committee



HOUSE OF COMMONS OF CANADA  
36th PARLIAMENT, 1st SESSION

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**MINUTES OF PROCEEDINGS**

Standing Committee  
on

**JUSTICE AND HUMAN RIGHTS**

Chair: Shaughnessy Cohen, Lib.

**Meeting No. 98**

**Tuesday, November 17, 1998**

---

**ORDER OF THE DAY:**

Bill C-40, an Act respecting extradition, to amend the Canada Evidence Act, the Criminal Code, the Immigration Act and the Mutual Legal Assistance in Criminal Matters Act and to amend and repeal other Acts in consequence

**WITNESSES:**

*Amnesty International (Canada):*

Roger Clark, Secretary General;  
David Matas, Legal Network Coordinator.

*Canadian Council for Refugees:*

Jetty Chakkalakal, Lawyer;  
Janet Dench, Executive Director;  
Nicholas Summers, Member.

*Criminal Lawyers' Association of Ontario:*

Michael Lomer, Secretary;  
Paul Slansky, Member.

*Department of Citizenship and Immigration:*

Yaron Butovsky, Legal Counsel, Legal Services;

Gerry Van Kessel, Director General, Refugees;

William Lundy, Director, Port of Entry Management, Enforcement.





## MINUTES OF PROCEEDINGS

Meeting No. 98

Tuesday, November 17, 1998

The Standing Committee on Justice and Human Rights met at 9:05 a.m. this day, in Room 536, Wellington Building, the Chair, Shaughnessy Cohen, presiding.

*Member(s) of the Committee present:* Eleni Bakopanos, Chuck Cadman, Shaughnessy Cohen, Paul DeVillers, Ivan Grose, Derek Lee, Peter MacKay, John Maloney, John McKay, John Reynolds and Jacques Saada.

*Acting Member present:* Réal Ménard for Michel Bellehumeur.

*In attendance: From the Library of Parliament:* David Goetz, Researcher, Philip Rosen, Senior Analyst.

*Witness(es):* From the Amnesty International (Canada): Roger Clark, Secretary General; David Matas, Legal Network Coordinator; From the Canadian Council for Refugees: Janet Dench, Executive Director; Nicholas Summers, Member; Jetty Chakkalakal, Lawyer; From the Criminal Lawyers Association of Ontario: Michael Lomer, Secretary; Paul Slansky, Member; From Citizenship and Immigration Canada: Gerry Van Kessel, Director General, Refugees; Yaron Butovsky, Legal Counsel, Legal Services; William Lundy, Director, Port of Entry Management, Enforcement.

Pursuant to its Order of Reference of Tuesday, October 20, 1998, the Committee resumed consideration of Bill C-40, an Act respecting extradition, to amend the Canada Evidence Act, the Criminal Code, the Immigration Act and the Mutual Legal Assistance in Criminal Matters Act and to amend and repeal other Acts in consequence (*See Minutes of Proceedings, Tuesday, November 3, 1998, Meeting No. 95*).

The witnesses made opening statements and answered questions.

At 10:31 a.m., the sitting was suspended.

At 10:36 a.m., the sitting resumed.

At 11:35 a.m., the sitting was suspended.

At 11:45 a.m., the sitting resumed.

At 12:25 p.m., the Committee adjourned to the call of the Chair.

Roger Préfontaine

Clerk of the Committee



HOUSE OF COMMONS OF CANADA  
36th PARLIAMENT, 1st SESSION

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**MINUTES OF PROCEEDINGS**

Standing Committee  
on

**JUSTICE AND HUMAN RIGHTS**

Chair: Shaughnessy Cohen, Lib.

**Meeting No. 99**

**Wednesday, November 18, 1998**

---

**ORDER OF THE DAY:**

Bill C-40, an Act respecting extradition, to amend the Canada Evidence Act, the Criminal Code, the Immigration Act and the Mutual Legal Assistance in Criminal Matters Act and to amend and repeal other Acts in consequence

**WITNESSES:**

*Department of Foreign Affairs and International Trade:*

David Allin, Deputy Director and Head of Treaty Section, United Nations Criminal and Treaty Law Division;

Keith Morrill, Deputy Director, United Nations, Criminal and Treaty Law Division.

*Department of Justice:*

Jacques Lemire, Counsel, International Assistance Group;

Yvan Roy, Senior General Counsel, Criminal Law Policy Section.



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## MINUTES OF PROCEEDINGS

Meeting No. 99

Wednesday, November 18, 1998

The Standing Committee on Justice and Human Rights met at 3:45 p.m. this day, in Room 705, La Promenade Building, the Chair, Shaughnessy Cohen, presiding.

*Member(s) of the Committee present:* Eleni Bakopanos, Shaughnessy Cohen, Paul DeVillers, Ivan Grose, Derek Lee, Peter MacKay, John Maloney, John McKay, John Reynolds, Jacques Saada.

*Acting Member(s) present:* Gary Lunn for Jim Abbott, Steve Mahoney for Reg Alcock, Réal Ménard for Michel Bellehumeur, Daniel Turp for Richard Marceau.

*In attendance: From the Library of Parliament:* David Goetz, Researcher, Philip Rosen, Senior Analyst. *From Committees and Legislative Services:* Richard Dupuis, Legislative Clerk.

*Witness(es): From the Department of Justice:* Yvan Roy, Senior General Counsel, Criminal Law Policy Section; Jacques Lemire, Counsel, International Assistance Group; *From the Department of Foreign Affairs and International Trade:* David Allin, Deputy Director and Head of Treaty Section, United Nations, Criminal and Treaty Law Division; Keith M. Morrill, Deputy Director, Criminal and Treaty Law Division.

Pursuant to its Order of Reference of Tuesday, October 20, 1998, the Committee resumed consideration of Bill C-40, an Act respecting extradition, to amend the Canada Evidence Act, the Criminal Code, the Immigration Act and the Mutual Legal Assistance in Criminal Matters Act and to amend and repeal other Acts in consequence (*See Minutes of Proceedings, Tuesday, November 3, 1998, Meeting No. 95*).

Pursuant to Standing Order 75(1), consideration of Clause 1 is postponed.

The Chair called Clause 2.

Clause 2 carried.

On Clause 3,

John Reynolds moved, -- That Bill C-40, in Clause 3, be amended by replacing line 33 on page 2 with the following:

"3. (1) A person shall be extradited from"

After debate, the question being put on the amendment, it was negatived.

Clause 3 carried.

On Clause 4,

John Reynolds moved, -- That Bill C-40, in clause 4, be amended by replacing line 37 on page 3 with the following:

"the person under this Act unless the judge is of the opinion that those further proceedings would be an abuse of process."

After debate, the question being put on the amendment, it was adopted.

Clause 4, as amended, carried.

Clauses 5 to 7 carried.

Clause 8 stood.

On Clause 9,

Daniel Turp moved, -- That Bill C-40, in Clause 9, be amended by replacing, in the French version, lines 26 to 28 on page 4 with the following:

Désignation

"9. (1) Les membres du Commonwealth dont les noms apparaissent à l'annexe et les États ou entités y figurant sont désignés partenaires."

After debate, the question being put on the amendment, it was adopted.

Clause 9, as amended, carried.

Clause 10 carried.

On New Clause,

John Reynolds moved, -- That Bill C-40 be amended by adding after line 20 on page 5 the following new clause:

"10.1 Despite any other provision in this or any other Act of Parliament, the Minister of Foreign Affairs shall disclose to a person who is the subject of a request for extradition and the court from whom an order of committal in respect of the person is sought under section 29, the entire contents of the specific agreement referred to in subsection 10(3) and such background documentation as is necessary to provide both the person and the court with information respecting the context in which the agreement was made. The disclosure of the contents of the agreement and the background documentation shall be made for the purpose of allowing both the person and the court an opportunity to assess the legitimacy of the request and to ensure that the request complies with the terms of the agreement."

Debate arose thereon.

At 5:26 p.m., the Committee adjourned to the call of the Chair.

Roger Préfontaine



Clerk of the Committee



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HOUSE OF COMMONS OF CANADA  
36th PARLIAMENT, 1st SESSION

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**MINUTES OF PROCEEDINGS**

Standing Committee  
on

**JUSTICE AND HUMAN RIGHTS**

Chair: Shaughnessy Cohen, Lib.

**Meeting No. 100**

**Thursday, November 19, 1998**

---

**ORDER OF THE DAY:**

Bill C-57, An Act to amend the Nunavut Act with respect to the Nunavut Court of Justice and to amend other Acts in consequence

**WITNESSES:**

*Department of Indian and Northern Affairs:*

John Merritt, Senior Adviser, Nunavut Secretariat, Northern Program.

*Department of Justice:*

Howard H. Bebbington, Counsel, Criminal Law Policy Section;

Adair Crosby, Counsel, Judicial Affairs Unit;

Karen Markham, Counsel, Criminal Law Policy Section;

Moray Welch, Counsel, Criminal Law Policy Section.



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## MINUTES OF PROCEEDINGS

Meeting No. 100

Thursday, November 19, 1998

The Standing Committee on Justice and Human Rights met at 9:13 a.m. this day, in Room 308, West Block, the Chair, Shaughnessy Cohen, presiding.

*Member(s) of the Committee present:* Eleni Bakopanos, Chuck Cadman, Shaughnessy Cohen, Paul DeVillers, Ivan Grose, Derek Lee, Peter MacKay, John Maloney, John McKay and Jacques Saada.

*In attendance: From the Library of Parliament:* Mary Hurley, Researcher, Philip Rosen, Senior Analyst.

*Witness(es): From the Department of Justice:* Howard H. Bebbington, Counsel, Criminal Law Policy Section; Karen Markham, Counsel, Criminal Law Policy Section; Adair Crosby, Counsel, Judicial Affairs Unit; Moray Welch, Counsel, Criminal Law Policy Section; *From the Department of Indian and Northern Affairs Canada:* John Merritt, Senior Advisor, Nunavut Secretariat, Northern Program.

The Order of Reference dated Thursday, October 29, 1998, being read as follows:

ORDERED, -- That Bill C-57, An Act to amend the Nunavut Act with respect to the Nunavut Court of Justice and to amend other Acts in consequence be now read a second time and referred to the Standing Committee on Justice and Human Rights.

The Chair called Clause 1.

Howard Bebbington made an opening statement and with the other witnesses answered questions.

At 10:59 a.m., the Committee adjourned to the call of the Chair.

Roger Préfontaine

Clerk of the Committee





HOUSE OF COMMONS OF CANADA  
36th PARLIAMENT, 1st SESSION

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**MINUTES OF PROCEEDINGS**

Standing Committee  
on

**JUSTICE AND HUMAN RIGHTS**

Chair: Shaughnessy Cohen, Lib.

**Meeting No. 101**

**Monday, November 23, 1998**

---

**ORDER OF THE DAY:**

Bill C-40, an Act respecting extradition, to amend the Canada Evidence Act, the Criminal Code, the Immigration Act and the Mutual Legal Assistance in Criminal Matters Act and to amend and repeal other Acts in consequence

**WITNESSES:**

*Department of Citizenship and Immigration:*

Yaron Butovsky, Counsel, Legal Services.

*Department of Foreign Affairs and International Trade:*

Alan Kessel, Director, United Nations Criminal and Treaty Law Division;

Keith M. Morrill, Deputy Director, United Nations, Criminal and Treaty Law Division.

*Department of Justice:*

Jacques Lemire, Counsel, International Assistance Group;

Yvan Roy, Senior General Counsel, Criminal Law Policy Section.



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## MINUTES OF PROCEEDINGS

Meeting No. 101

Monday, November 23, 1998

The Standing Committee on Justice and Human Rights met at 3:36 p.m. this day, in Room 371, West Block, the Chair, Shaughnessy Cohen, presiding.

*Member(s) of the Committee present:* Reg Alcock, Eleni Bakopanos, Shaughnessy Cohen, Paul DeVillers, Derek Lee, Peter MacKay, John Maloney, John McKay, John Reynolds and Jacques Saada.

*Acting Members present:* Daniel Turp for Michel Bellehumeur, Réal Ménard for Richard Marceau.

*Other Member present:* Denis Coderre.

*In attendance: From the Library of Parliament:* David Goetz, Researcher; Philip Rosen, Senior Analyst. *From Committees and Legislative Services:* Suzanne Verville, Legislative Clerk.

*Witness(es): From the Department of Justice:* Yvan Roy, Senior General Counsel, Criminal Law Policy Section; Jacques Lemire, Counsel, International Assistance Program; Yaron Butovsky, Counsel, Citizenship and Immigration. *From the Department of Foreign Affairs and International Trade:* Alan Kessel, Director, United Nations, Criminal and Treaty Law Division; David Allin, Deputy Director and Head of Treaty Section, United Nations, Criminal and Treaty Law Division; Keith M. Morrill, Deputy Director, Criminal and Treaty Law Division.

Pursuant to its Order of Reference of Tuesday, October 20, 1998, the Committee resumed consideration of Bill C-40, An Act respecting extradition, to amend the Canada Evidence Act, the Criminal Code, the Immigration Act and the Mutual Legal Assistance in Criminal Matters Act and to amend and repeal other Acts in consequence (*See Minutes of Proceedings, Tuesday, November 3, 1998, Meeting No. 95*).

Pursuant to Standing Order 75(1), consideration of Clause 1 is postponed.

The Committee resumed consideration of the motion of John Reynolds:

That Bill C-40 be amended by adding after line 20 on page 5 the following new clause:

"10.1 Despite any other provision in this or any other Act of Parliament, the Minister of Foreign Affairs shall disclose to a person who is the subject of a request for extradition and the court from whom an order of committal in respect of the person is sought under section 29, the entire contents of the specific agreement referred to in subsection 10(3) and such background documentation as is necessary to provide both the person and the court with information respecting the context in which the agreement was made. The disclosure of the contents of the agreement and the background documentation shall be made for the purpose of allowing both the person and the court an opportunity to assess the legitimacy of the request and to ensure that the request complies with the terms of the agreement."

By unanimous consent, the motion was withdrawn.

By unanimous consent, Clause 10 was again considered.

On Clause 10,

John Reynolds moved, -- That Bill C-40 in Clause 10, be amended by replacing lines 12 to 20 on page 5 with the following:

"to which is attached a copy of a specific agreement entered into by Canada and a State or entity is conclusive evidence of the agreement and its contents without proof of the signature or official character of the person appearing to have signed the certificate or agreement."

After debate, the question being put on the amendment, it was adopted.

Clause 10, as amended, carried.

Clause 11 carried.

On Clause 12,

John Reynolds moved, -- That Bill C-40, in Clause 12, be amended by replacing lines 27 to 29 on page 5 with the following:

Minister's approval of request for provisional arrest

"12. After receiving a request by an extradition partner for the provisional arrest of a person, the Minister shall authorize the"

After debate, the question being put on the amendment, it was negatived.

Clause 12 carried.

On Clause 13,

John Reynolds moved, -- That Bill C-40, in Clause 13, be amended by replacing lines 1 and 2 on page 6 with the following:

"(a) it is necessary in the public interest including to arrest the person to prevent the person from escaping or committing an offence;"

After debate, the question being put on the amendment, it was adopted.

Clause 13, as amended, carried.

Clause 14 carried.

On Clause 15,

John Reynolds moved, -- That Bill C-40, in Clause 15, be amended by replacing line 21 on page 7 with the following:

Minister's power to issue

"15. (1) The Minister shall, after receiving a"

The question being put on the amendment, it was negatived.

John Reynolds moved, -- That Bill C-40, in Clause 15, be amended by replacing line 29 on page 7 with the following:

"committal of the person under section 29 and an order of extradition."

After debate, the question being put on the amendment, it was negatived.

Clause 15 carried.

On Clause 16,

John Reynolds moved, -- That Bill C-40, in Clause 16, be amended by replacing line 6 on page 8 with the following:

Warrant of arrest or summons

"16. (1) The Attorney General shall, after the"

The question being put on the amendment, it was negatived.

Clause 16 carried.

On Clause 17,

John Reynolds moved, -- That Bill C-40, in Clause 17, be amended by replacing lines 1 to 3 on page 9 with the following:

Appearance

"17. (1) A person who is arrested under section 13 or 16 is to be brought before a judge or a justice within twenty-four hours after the person is arrested, but if no judge or no justice is available during this time, the person shall be brought before a judge or a justice as soon as possible."

After debate, the question being put on the amendment, it was adopted.

Clause 17, as amended, carried.

Clauses 18 and 19 carried.

On Clause 20,

John Reynolds moved, -- That Bill C-40, in Clause 20, be amended by replacing line 25 on page 9 with the following:

"20. Subsection 515(10) of the *Criminal Code*"



After debate, the question being put on the amendment, it was negated.

Clause 20 carried.

Clauses 21 and 22 carried.

On Clause 23,

John Reynolds moved, -- That Bill C-40, in Clause 23, be amended by adding after line 40 on page 10 the following:

"(1.1) Where the Minister substitutes another authority to proceed under subsection (1) and the person applies for another date to be set for the beginning of the extradition hearing in order to give the person an opportunity to examine the new authority, the judge may set another date for the hearing."

After debate, the question being put on the amendment, it was adopted.

John Reynolds moved, -- That Bill C-40, in Clause 23, be amended by replacing line 5 on page 11 with the following:

"during the hearing if the judge considers that the interests of justice so require."

After debate, the question being put on the amendment, it was negated.

Clause 23, as amended, carried.

Clauses 24 to 31 carried.

Clauses 32 and 33 carried on division.

On Clause 34,

John Reynolds moved, -- That Bill C-40, in Clause 34, be amended by replacing lines 26 and 27 on page 14 with the following:

Oath or solemn affirmation

"**34.** A document is not admissible unless it is solemnly affirmed or under oath."

After debate, the question being put on the amendment, it was negated.

Clause 34 carried.

Clause 35 carried.

On Clause 36,

John Reynolds moved, -- That Bill C-40, in Clause 36, be amended by replacing lines 34 to 36 on page 14 with the following:

## Translated documents

"36. A translation of a document into one of Canada's official languages shall only be admitted if the translation is accompanied by a document setting out the translators qualifications as a translator and a sworn statement by the translator certifying that the translation is an accurate translation of the original document."

After debate, the question being put on the amendment, it was negatived.

Clause 36 carried on division.

Clause 37 carried on division.

On Clause 38,

John Reynolds moved, -- That Bill C-40, in Clause 38, be amended by replacing lines 5 to 19 on page 15 with the following:

## Report of the judge

"38. (1) A judge who makes an order of extradition for the person shall transmit to the Minister a copy of the order. "

After debate, the question being put on the amendment, it was negatived.

Clause 38 carried.

On Clause 39,

John Reynolds moved, -- That Bill C-40, in Clause 39, be amended by replacing line 22 on page 15 with the following:

"committal or an order of extradition may order that any thing that was"

The question being put on the amendment, it was negatived.

Clause 39 carried on division.

On Clause 40,

John Reynolds moved, -- That Bill C-40, in Clause 40, be amended by replacing lines 35 to 39 on page 15 and lines 1 to 35 on page 16 with the following:

## Surrender

"40. The Minister shall, within a period of five days after the date on which the order of extradition was made, personally order that the person be surrendered to the extradition partner."

The question being put on the amendment, it was negatived.

Daniel Turp moved, -- That Bill C-40, in Clause 40, be amended by replacing line 16 on page 16 with



the following:

"of surrender and that the person not be subject to the death penalty."

After debate, the question put on the amendment, it was negatived on the following recorded division:

**YEAS:**

Paul DeVillers

Réal Ménard

Daniel Turp (3)

**NAYS:**

Reg Alcock

Eleni Bakopanos

Derek Lee

Peter MacKay

John Maloney

John McKay

John Reynolds

Jacques Saada (8)

Clause 40 carried on division.

Clauses 41 and 42 carried on division.

On Clause 43,

John Reynolds moved, -- That Bill C-40, in Clause 43, be amended by replacing lines 7 to 16 on page 17 with the following:

**Submissions**

"**43.** The person may make submissions to the judge in respect of any ground that would be relevant to the judge in respect of the surrender of the person."

The question being put on the amendment, it was negatived.

Clause 43 carried on division.

On Clause 44,

John Reynolds moved, -- That Bill C-40, in Clause 44, be amended by replacing lines 17 to 34 on page 17 with the following:

When order not to be made

"44. (1) The judge shall refuse to make an order of extradition if the judge is satisfied that

(a) the surrender would be unjust or oppressive having regard to all the relevant circumstances; or

(b) the request for extradition is made for the purpose of prosecuting or punishing the person by reason of their race, religion, nationality, ethnic origin, political opinions, sex or status or that the person's position may be prejudiced for any of those reasons.

When judge may refuse to make order

(2) The judge may refuse to make a surrender order if the judge is satisfied that the conduct in respect of which the request for extradition is made is punishable by death under the laws that apply to the extradition partner."

After debate, the question being put on the amendment, it was negatived.

Réal Ménard moved, -- That Bill C-40, in Clause 44, be amended by replacing line 24 on page 17 with the following:

"person by reason of the person's race, colour, language, social condition, wealth, sexual orientation, pregnancy, family status, religion,"

After debate, Eleni Bakopanos moved the following sub-amendment to the amendment, -- That Bill C-40, in Clause 44, be amended by replacing lines 25 and 26 on page 17 with the following:

"nationality, ethnic origin, language, colour, political opinion, sex, sexual orientation, age, mental or physical disability or status or that person's"

After debate, the question being put on the sub-amendment, it was adopted.

John Reynolds moved, -- That Bill C-40, in Clause 44, be amended by deleting lines 29 to 34 on page 17.

After debate, the question being put on the amendment, it was negatived.

Clause 44, as amended, carried.

On Clause 45,

John Reynolds moved, -- That Bill C-40, in Clause 45, be amended by replacing lines 39 and 40 on page 17 with the following:

"refusal in such an agreement, prevail over sections 46 and 47 only to the extent of any inconsistency between either of those sections and those reasons or absence of reasons, as the case may be."

The question being put on the amendment, it was negatived.

Clause 45 carried on division.

On Clause 46,

John Reynolds moved, -- That Bill C-40, in Clause 46, be amended by replacing lines 7 and 8 on page 18 with the following:

When order not to be made

"46. (1) The judge shall refuse to make a surrender order if the judge is satisfied that"

After debate, the question being put on the amendment, it was negatived on division.

John Reynolds moved, -- That Bill C-40, in Clause 46, be amended by replacing lines 25 to 42 on page 18 with the following:

"a political character."

The question being put on the amendment, it was negatived.

Clause 46 carried on division.

On Clause 47,

John Reynolds moved, -- That Bill C-40, in Clause 47, be amended by replacing lines 1 and 2 on page 19 with the following:

When judge may refuse to make order

"47. The judge may refuse to make a surrender order if the judge is satisfied that"

After debate, the question being put on the amendment, it was negatived.

Clause 47 carried on division.

On Clause 48,

John Reynolds moved, -- That Bill C-40, in Clause 48, be amended by replacing lines 24 to 32 on page 19 with the following:

Discharge

"48. (1) If the judge decides not to make an order of extradition, the judge shall order the discharge of the person.

When refugee claim

(2) When the judge orders the discharge of a person and the person has claimed Convention refugee status under section 44 of the *Immigration Act*, the judge shall send copies of all relevant documents to the minister responsible for that Act."

The question being put on the amendment, it was negatived.

Clauses 48 to 54 carried severally on division.

On Clause 55,

John Reynolds moved, -- That Bill C-40, in Clause 55, be amended

(a) by replacing, in the French version, line 28 on page 21 with the following:

"a) soit accueillir l'appel et annuler l'ordonnan-

(b) by replacing line 45 on page 21 with the following:

"(b) dismiss the appeal

(i) if it does not allow the appeal on any ground referred to in paragraph (a),  
or

(ii) even though the court of appeal is of the opinion that on the ground referred to in subparagraph (a)(ii) the appeal may be decided in favour of the appellant, if it is of the opinion that no substantial wrong or miscarriage of justice has occurred."

After debate, the question being put on the amendment, it was negatived.

Clause 55 carried on division.

Clause 56 carried on division.

On Clause 57,

John Reynolds moved, -- That Bill C-40, in Clause 57, be amended by replacing lines 29 to 31 on page 22 with the following:

Time limitation

"(3) A person who proposes to make an application for judicial review must give notice of that application, in any manner that may be directed by the rules of court of the court of appeal, not later than 30 days after the"

After debate, the question being put on the amendment, it was negatived.

Clause 57 carried on division.

Clause 58 carried.

Clause 59 carried on division.

Clauses 60 to 79 carried severally.



Clause 80 carried on division.

Clauses 81 to 98 carried severally.

Clause 99 carried.

Clauses 100 to 130 carried severally.

The Committee resumed consideration of Clause 8,

Daniel Turp moved, -- That Bill C-40, in Clause 8, be amended by adding after line 25 on page 4 the following:

"(4) An extradition agreement - or the provisions respecting extradition contained in a multilateral extradition agreement is tabled before both Houses of Parliament no later that 60 days after it comes into force."

After debate, the question being put on the amendment, it was negatived.

Clause 8 carried.

The Schedule carried.

Clause 1 carried.

The Title carried.

The Bill, as amended, carried.

ORDERED, -- That Bill C-40, An Act respecting extradition, to amend the Canada Evidence Act, the Criminal Code, the Immigration Act and the Mutual Legal Assistance in Criminal Matters Act and to amend and repeal other Acts in consequence, as amended, be reprinted for the use of the House of Commons at the Report Stage.

ORDERED, -- That the Chair report Bill C-40 with amendments to the House as the Sixteenth Report of the Committee.

At 6:06 p.m., the Committee adjourned to the call of the Chair.

Roger Préfontaine

Clerk of the Committee

HOUSE OF COMMONS OF CANADA  
36th PARLIAMENT, 1st SESSION

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**MINUTES OF PROCEEDINGS**

Standing Committee  
on

**JUSTICE AND HUMAN RIGHTS**

Chair: Shaughnessy Cohen, Lib.

**Meeting No. 102**

**Tuesday, November 24, 1998**

---

**ORDER OF THE DAY:**

Consideration of Bill C-57, An Act to amend the Nunavut Act with respect to the Nunavut Court of Justice and to amend other Acts in consequence

**WITNESSES:**

*Nunavut Tunngavik Inc.:*

Allan S. Maclure, Counsel;

Leena Evic-Twerdin, Adviser, Policy and Programme.

*Office of the Interim Commissioner of Nunavut:*

Nora Sanders, Deputy Minister of Justice Designate;

Rebecca Williams, Assistant Deputy Minister of Justice Designate.





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## MINUTES OF PROCEEDINGS

Meeting No. 102

Tuesday, November 24, 1998

The Standing Committee on Justice and Human Rights met at 9:16 a.m. this day, in Room 371, West Block, the Chair, Shaughnessy Cohen, presiding.

*Members of the Committee present:* Eleni Bakopanos, Chuck Cadman, Shaughnessy Cohen, Paul DeVillers, Ivan Grose, Derek Lee, Peter MacKay, John Maloney, John McKay and Jacques Saada.

*In attendance: From the Library of Parliament:* Philip Rosen, Senior Analyst and Mary Hurley, Researcher.

*Witnesses: From the Office of the Interim Commissioner of Nunavut:* Nora Sanders, Deputy Minister of Justice designate; Rebecca Williams, Assistant Deputy Minister of Justice designate; *From the Nunavut Tunngavik Inc.:* Allan S. Maclure, Counsel; Leena Evic-Twerdin, Advisor, Policy and Programme.

Pursuant to its Order of Reference of Thursday, October 29, 1998, the Committee resumed consideration of Bill C-57, An Act to amend the Nunavut Act with respect to the Nunavut Court of Justice and to amend other Acts in consequence. (*See Minutes of Proceeding, Thursday, November 19, 1998, Meeting No. 100*).

The witnesses made opening statements and answered questions.

At 11:10 a.m., the Committee adjourned to the call of the Chair.

Roger Préfontaine

Clerk of the Committee



HOUSE OF COMMONS OF CANADA  
36th PARLIAMENT, 1st SESSION

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**MINUTES OF PROCEEDINGS**

Standing Committee  
on

**JUSTICE AND HUMAN RIGHTS**

Chair: Shaughnessy Cohen, Lib.

**Meeting No. 103**

**Tuesday, November 24, 1998**

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**ORDER OF THE DAY:**

Study of Bill C-57, An Act to amend the Nunavut Act with respect to the Nunavut Court of Justice and to amend other Acts in consequence

**WITNESSES:**

*Inuit Tapirisat of Canada:*

Okalik Egeesiak, President.

*Manitoba Keewatinowi Okimakanak Inc.:*

Michael Anderson, Research Director;

Sydney Garrioch, Acting Grand Chief.

*Pauktuutit, Inuit Women's Association:*

Veronica Dewar, President.

*Sayisi Dene Nation:*

Ila Bussidor, Chief.



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## MINUTES OF PROCEEDINGS

Meeting No. 103

Tuesday, November 24, 1998

The Standing Committee on Justice and Human Rights met at 3:40 p.m. this day, in Room 371, West Block, the Chair, Shaughnessy Cohen, presiding.

*Members of the Committee present:* Eleni Bakopanos, Chuck Cadman, Shaughnessy Cohen, Ivan Grose, Derek Lee, John Maloney, John McKay and John Reynolds.

*Acting Members present:* Monique Guay for Michel Bellehumeur and Bev Desjarlais for Peter Mancini.

*Other Member present:* Nancy Karetak - Lindell.

*In attendance: From the Library of Parliament:* Philip Rosen, Senior Analyst and Mary Hurley, Researcher.

*Witness(es): From the Manitoba Keewatinowi Okimakanak Inc.:* Sydney Garrioch, Acting Grand Chief; Ila Bussidor, Chief; Michael Anderson, Research Director; *From the Pauktuutit (Inuit Women's Association):* Veronica Dewar, President; *From the Inuit Tapirisat of Canada:* Okalik Egeesiak, President.

Pursuant to its Order of Reference of Thursday, October 29, 1998, the Committee resumed consideration of Bill C-57, An Act to amend the Nunavut Act with respect to the Nunavut Court of Justice and to amend other Acts in consequence. (*See Minutes of Proceedings, Thursday, November 19, 1998, Meeting No. 100*).

The witnesses made opening statements and answered questions.

At 5:20 p.m., the Committee adjourned to the call of the Chair.

Roger Préfontaine

Clerk of the Committee





HOUSE OF COMMONS OF CANADA  
36th PARLIAMENT, 1st SESSION

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**MINUTES OF PROCEEDINGS**

Standing Committee  
on

**JUSTICE AND HUMAN RIGHTS**

Chair: Shaughnessy Cohen, Lib.

**Meeting No. 104**

**Wednesday, November 25, 1998**

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**ORDER OF THE DAY:**

Consideration of Bill C-57, An Act to amend the Nunavut Act with respect to the Nunavut Court of Justice and to amend other Acts in consequence

**APPEARING:**

Hon. Anne McLellan, Minister of Justice and Attorney General of Canada

**WITNESSES:**

*Department of Justice:*

Howard H. Bebbington, Counsel, Criminal Law Policy Section;

Karen Markham, Counsel, Criminal Law Policy Section;

Yvan Roy, Senior General Counsel, Criminal Law Policy Section.



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## MINUTES OF PROCEEDINGS

Meeting No. 104

Wednesday, November 25, 1998

The Standing Committee on Justice and Human Rights met at 4:16 p.m. this day, in Room 308, West Block, the Chair, Shaughnessy Cohen, presiding.

*Members of the Committee present:* Shaughnessy Cohen, Paul DeVillers, Ivan Grose, Derek Lee, Peter MacKay, John Maloney and John Reynolds.

*Acting Member present:* Monique Guay for Michel Bellehumeur.

*In attendance: From the Library of Parliament:* Mary Hurley, Researcher and Philip Rosen, Senior Analyst.

*Appearing: From the Department of Justice:* The Hon. Anne McLellan, Minister of Justice and Attorney General of Canada.

*Witnesses: From the Department of Justice:* Karen Markham, Counsel; Adair Crosby, Counsel; Howard H. Bebbington, Counsel; Yvan Roy, Senior General Counsel.

Pursuant to its Order of Reference of Thursday, October 29, 1998, the Committee resumed consideration of Bill C-57, An Act to amend the Nunavut Act with respect to the Nunavut Court of Justice and to amend other Acts in consequence. (*See Minutes of Proceeding, Thursday, November 19, 1998, Meeting No. 100*).

The Minister made an opening statement and with the other witnesses answered questions.

At 5:15 p.m., the Committee adjourned to the call of the Chair.

Roger Préfontaine

Clerk of the Committee



HOUSE OF COMMONS OF CANADA  
36th PARLIAMENT, 1st SESSION

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**MINUTES OF PROCEEDINGS**

Standing Committee  
on

**JUSTICE AND HUMAN RIGHTS**

Chair: Shaughnessy Cohen, Lib.

**Meeting No. 105**

**Thursday, November 26, 1998**

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**ORDER OF THE DAY:**

Consideration of Bill C-57, An Act to amend the Nunavut Act with respect to the Nunavut Court of Justice and to amend other Acts in consequence





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## MINUTES OF PROCEEDINGS

Meeting No. 105

Thursday, November 26, 1998

The Standing Committee on Justice and Human Rights met at 9:54 a.m. this day. in Room 371, West Block, the Co-Chair, John Maloney, presiding.

*Member(s) of the Committee present:* Reg Alcock, Eleni Bakopanos, Chuck Cadman, Paul DeVillers, Ivan Grose, John Maloney, John Reynolds and Jacques Saada.

*Acting Member present:* Gilles Perron for Michel Bellehumeur.

*In attendance: From the Library of Parliament:* Mary Hurley, Researcher and Philip Rosen, Senior Analyst. *From Committees and Legislative Services:* Suzanne Verville, Legislative Clerk.

Pursuant to its Order of Reference of Thursday, October 29, 1998, the Committee resumed consideration of Bill C-57, An Act to amend the Nunavut Act with respect to the Nunavut Court of Justice and to amend other Acts in consequence. (*See Minutes of Proceedings, Thursday, November 19, 1998, Meeting No. 100*).

The Chair called Clause 1.

Clauses 1 to 92 carried severally.

The Schedule carried.

The Bill carried.

ORDERED, -- That the Chair report Bill C-57 without amendment to the House as the Seventeenth Report of the Committee.

At 9:55 a.m., the Committee adjourned to the call of the Chair.

Roger Préfontaine

Clerk of the Committee



HOUSE OF COMMONS OF CANADA  
36th PARLIAMENT, 1st SESSION

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**MINUTES OF PROCEEDINGS**

Standing Committee  
on

**JUSTICE AND HUMAN RIGHTS**

Chair: Shaughnessy Cohen, Lib.

**Meeting No. 106**

**Tuesday, December 1, 1998**

---

**ORDERS OF THE DAY:**

Study of Bill C-284, An Act to amend the Criminal Records Act and the Canadian Human Rights Act (offences against children)

Study of Bill C-251, An Act to amend the Criminal Code and the Corrections and Conditional Release Act (cumulative sentences)

**WITNESSES:**

*Fraser Milner:*

Gerald Chipeur, Partner.

*House of Commons:*

Albina Guarnieri, Lib., Member from *Mississauga-East*;

Eric Lowther, Ref., Member from *Calgary Centre*.



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## MINUTES OF PROCEEDINGS

Meeting No. 106

Tuesday, December 1st, 1998

The Standing Committee on Justice and Human Rights met at 9:07 a.m. this day, in Room 371, West Block, the Chair, Shaughnessy Cohen, presiding.

*Member(s) of the Committee present:* Eleni Bakopanos, Michel Bellehumeur, Chuck Cadman, Shaughnessy Cohen, Paul DeVillers, Ivan Grose, Derek Lee, Peter MacKay, John Maloney, Peter Mancini, John McKay, John Reynolds and Jacques Saada.

*Acting Member present:* Jim Gouk for Jim Abbott.

*Other Member present:* Dan McTeague.

*In attendance: From the Library of Parliament:* Philip Rosen, Senior Analyst.

*Witness(es):* Eric Lowther, MP, Calgary-Centre; Albina Guarnieri, MP, Mississauga East; Gérard Chipeur, Counsel, Fraser, Milner, Barristers and Solicitors.

The Order of Reference dated Tuesday, October 6, 1998, being read as follows:

ORDERED, -- That Bill C-284, An Act to amend the Criminal Records Act and the Canadian Human Rights Act (offences against children) be now read a second time and referred to the Standing Committee on Justice and Human Rights.

The Chair called Clause 1.

Eric Lowther made a statement and answered questions.

At 10:09 a.m., the sitting was suspended.

At 10:10 a.m., the sitting resumed.

The Order of Reference dated Thursday, October 22, 1998, being read as follows:

ORDERED, --That Bill C-251, An Act to amend the Criminal Code and the Corrections and Conditional Release Act (cumulative sentences) be now read a second time and referred to the Standing Committee on Justice and Human Rights.

The Chair called Clause 1.

By unanimous consent, -- It was agreed that Gérard Chipeur be allowed to testify.

Albina Guarnieri made an opening statement and, with Gérard Chipeur answered questions.



At 11:06 a.m., the Committee adjourned to the call of the Chair.

Roger Préfontaine

Clerk of the Committee

HOUSE OF COMMONS OF CANADA  
36th PARLIAMENT, 1st SESSION

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**MINUTES OF PROCEEDINGS**

Standing Committee  
on

**JUSTICE AND HUMAN RIGHTS**

Chair: Shaughnessy Cohen, Lib.

**Meeting No. 107**

**Thursday, December 3, 1998**

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**IN CAMERA**



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## MINUTES OF PROCEEDINGS

Meeting No. 107

Thursday, December 3, 1998

The Standing Committee on Justice and Human Rights met *in camera* at 9:43 a.m. this day, in Room 308, West Block, the Chair, Shaughnessy Cohen, presiding.

*Member(s) of the Committee present:* Reg Alcock, Eleni Bakopanos, Michel Bellehumeur, Chuck Cadman, Shaughnessy Cohen, Paul DeVillers, Derek Lee, Peter MacKay, John Maloney and Jacques Saada.

*Acting Member present:* Dick Harris for Jim Abbott.

*In attendance: From the Library of Parliament:* Marilyn Pilon, Researcher and Philip Rosen, Senior Analyst.

*Witness(es): From the Department of Justice:* Hal Pruden, Counsel, Criminal Law Policy Section;  
*From the Royal Canadian Mounted Police:* Brian T. Hodgson, Chief Scientist - Alcohol, Forensic Laboratory Services Directorate - Central Forensic Laboratory.

The Committee proceeded to consider its future business.

John Maloney moved, -- That the budgets for travel by the Sub-Committee on Corrections and Conditional Release Act to Joliette, Laval and Montreal during the week of February 1<sup>st</sup>, 1999 and to Abbotsford, Vancouver and Edmonton during the week of February 15, 1999, be approved as submitted and that the Chair seek authorization for travel from the House.

After debate, the motion was agreed to on division.

It was agreed, -- That the operational budget of the Sub-Committee on Corrections and Conditional Release Act in the amount of \$36,000.00 for the fiscal year 98-99 be approved.

It was agreed, -- That the staff submit a suggested witness list on Bills C-284 and C-251 for the Committee's approval when the House reconvenes in February 1999.

At 11:05 a.m., the sitting was suspended.

At 11:53 a.m., the sitting resumed.

Pursuant to its Order of Reference dated Thursday, October 30, 1997, review of the Criminal Code impaired driving provisions.

The witnesses proceeded to brief the Committee on Criminal Code impaired driving provisions and answered questions.

At 1:30 p.m., the Committee adjourned to the call of the Chair.

Roger Préfontaine

Clerk of the Committee

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HOUSE OF COMMONS OF CANADA  
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**MINUTES OF PROCEEDINGS**

Standing Committee  
on

**JUSTICE AND HUMAN RIGHTS**

Chairman: John Maloney, Lib.

**Meeting No. 108**

**Tuesday, February 2, 1999**

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**ORDER OF THE DAY:**

Election of a Chair





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## MINUTES OF PROCEEDINGS

Meeting No. 108

Tuesday, February 2, 1999

The Standing Committee on Justice and Human Rights met at 3:35 p.m. this day, in Room 371, West Block, for the purpose of electing a Chair, pursuant to Standing Orders 106(1) and 106(2).

*Member(s) of the Committee present:* Jim Abbott, Eleni Bakopanos, Chuck Cadman, Aileen Carroll, Paul DeVillers, Paul DeVillers, Ivan Grose, Derek Lee, Peter MacKay, John Maloney, John Maloney, Peter Mancini, Richard Marceau, John Reynolds.

*Acting Member(s) present:* Carolyn Bennett for Reg Alcock, David Pratt for John McKay, Bryon Wilfert for Jacques Saada.

*Other Member present:* Dick Harris.

*In attendance: From the Library of Parliament:* Marilyn Pilon, Researcher and Philip Rosen, Senior Analyst.

The Clerk presided over the election of a Chair.

Chuck Cadman moved, seconded by John Reynolds -- That John Maloney do take the Chair of the Committee.

The question being put on the motion, it was agreed to.

John Maloney took the Chair.

Aileen Carroll moved, seconded by Peter MacKay, -- That Paul DeVillers be elected Vice-Chair of the Committee.

David Pratt moved, -- That Paul DeVillers take the Chair of the Sub-Committee on the Corrections and Conditional Release Act.

It was agreed, -- That the Chair seek authorisation from the House for the Sub-Committee on Corrections and Conditional Release Act to travel to Abbotsford, Vancouver and Edmonton during the week of March 1, 1999 and to Halifax and Moncton during the week of March 15, 1999.

At 3:45 p.m., the Committee adjourned to the call of the Chair.

Roger Préfontaine

Clerk of the Committee



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**MINUTES OF PROCEEDINGS**

Standing Committee  
on

**JUSTICE AND HUMAN RIGHTS**

Chairman: John Maloney, Lib.

**Meeting No. 109**

**Wednesday, February 3, 1999**

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**ORDERS OF THE DAY:**

Consideration of future business in camera

Review of the Criminal Code impaired driving provisions

**WITNESSES:**

*Canadian Society for Forensic Science:*

Louise Deheut, Member, Alcohol Test Committee;

Doug Lucas, member, Alcohol Test Committee.

*Royal Canadian Mounted Police:*

Brian T. Hodgson, Chief Scientist, Alcohol, Forensic Laboratory Services Directorate,  
Central Forensic Laboratory;

Wayne Jeffery, Vancouver Forensic Laboratory; Chair, Drugs and Driving Committee,  
Canadian Society for Forensic Science.



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## MINUTES OF PROCEEDINGS

Meeting No. 109

Wednesday, February 3, 1999

The Standing Committee on Justice and Human Rights met at 3:35 p.m. this day, in Room 536, Wellington Building, the Chair, John Maloney, presiding.

*Member(s) of the Committee present:* Eleni Bakopanos, Michel Bellehumeur, Chuck Cadman, Paul DeVillers, Ivan Grose, Peter MacKay, John Maloney, Peter Mancini and Jacques Saada.

*Acting Member(s) present:* Dick Harris for Jim Abbott, Pierre Brien for Richard Marceau.

*In attendance: From the Library of Parliament:* Marilyn Pilon, Researcher and Philip Rosen, Senior Analyst.

*Witness(es): From the Royal Canadian Mounted Police:* Brian T. Hodgson, Chief Scientist - Alcohol, Forensic Laboratory Services Directorate - Central Forensic Laboratory; Wayne Jeffery, Vancouver Forensic Laboratory and Chair of the Drugs and Driving Committee, Canadian Society for Forensic Science; *From the Canadian Society for Forensic Science:* Doug Lucas, Member; Louise Deheut, Member.

The Committee proceeded to consider its future business, in camera.

It was agreed, -- That the agenda for hearings on the impaired driving study be approved.

It was agreed, -- That the witness list for the hearings on Bill C-251 be approved with the addition of the John Howard and Elizabeth Fry Societies.

It was agreed, -- That the witness list for the hearings on Bill C-284 be approved.

At 3:55 p.m., the sitting was suspended.

At 3:56 p.m., the sitting resumed in public.

Pursuant to Standing Order 68(4)(a) and the Order of Reference dated Thursday, October 30, 1997, review of the Criminal Code impaired driving provisions.

The witnesses made opening statements and answered questions.

At 5:25 p.m., the Committee adjourned to the call of the Chair.

Roger Préfontaine

Clerk of the Committee



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**MINUTES OF PROCEEDINGS**

Standing Committee  
on

**JUSTICE AND HUMAN RIGHTS**

Chairman: John Maloney, Lib.

**Meeting No. 110**

**Thursday, February 4, 1999**

---

**ORDER OF THE DAY:**

Consideration of the Criminal Code impaired driving provisions

**WITNESSES:**

*Centre of Addiction and Mental Health:*

Robert Mann, Senior Scientist.

*Traffic Injury Research Foundation:*

Douglas Beirness, Vice-President, Research Branch;

Herb M. Simpson, President and CEO.



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## MINUTES OF PROCEEDINGS

Meeting No. 110

Thursday, February 4, 1999

The Standing Committee on Justice and Human Rights met at 9:39 a.m. this day, in Room 701, La Promenade Building, the Chair, John Maloney, presiding.

*Member(s) of the Committee present:* Eleni Bakopanos, Chuck Cadman, Paul DeVillers, Ivan Grose, John Maloney, John Reynolds and Jacques Saada.

*Acting Member(s) present:* Dick Harris for Jim Abbott, Pierre Brien for Michel Bellehumeur.

*In attendance: From the Library of Parliament:* Marilyn Pilon, Researcher and Philip Rosen, Senior Analyst.

*Witness(es):* **From the Traffic Injury Research Foundation:** Dr. Herb M. Simpson, President and CEO; Daniel Mayhew, Senior Vice-President; Dr. Douglas Beirness, Vice-President, Research Branch; **From the Centre for Addiction and Mental Health:** Dr. Robert Mann, Senior Scientist.

Pursuant to the Standing Order 68(4)(a) and the Order of Reference dated Thursday, October 30, 1997, the Standing Committee on Justice and Human Rights resumed consideration of the Criminal Code impaired driving provisions. (*See Minutes of Proceedings dated Wednesday, February 3, 1999, Meeting No. 109*)

The witnesses made opening statements and answered questions.

At 11:11 a.m., the Committee adjourned to the call of the Chair.

Roger Préfontaine

Clerk of the Committee



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**MINUTES OF PROCEEDINGS**

Standing Committee  
on

**JUSTICE AND HUMAN RIGHTS**

Chairman: John Maloney, Lib.

**Meeting No. 111**

**Tuesday, February 9, 1999**

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**ORDER OF THE DAY:**

Consideration of the Criminal Code impaired driving provisions

**WITNESSES:**

*Canadian Association of Chiefs of Police:*

Roy Berlinquette, Deputy Commissioner;

Maurice Pilon, Deputy Commissioner.

*Canadian Police Association:*

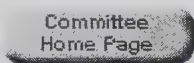
Dale Kinnear, Labour Analyst;

Grant Obst, President.

*Ministry of Attorney General for British Columbia:*

Roger F. Cutler, Crown Counsel, Criminal Justice Branch.





## MINUTES OF PROCEEDINGS

Meeting No. 111

Tuesday, February 9, 1999

The Standing Committee on Justice and Human Rights met at 9:35 a.m. this day, in Room 308, West Block, the Chair, John Maloney, presiding.

*Member(s) of the Committee present:* Eleni Bakopanos, Michel Bellehumeur, Chuck Cadman, Paul DeVillers, Ivan Grose, Peter MacKay, John Maloney, John McKay and Jacques Saada.

*Acting Member present:* Richard Harris for John Reynolds.

*Associate Member present:* Pierre Brien.

*In attendance: From the Library of Parliament:* Marilyn Pilon, Researcher and Philip Rosen, Senior Analyst.

*Witness(es): From the Canadian Police Association:* Grant Obst, President; Dale Kinnear, Labour Analyst; *From the Canadian Association of Chiefs of Police:* Maurice Pilon, Deputy Commissioner; *From the Royal Canadian Mounted Police:* Roy Berlinquette, Deputy Commissioner, North West Region and Member of Ontario Provincial Police; Grant Smith, Contract Policing, R.C.M.P. Headquarters; *From the Ministry of Attorney General of British Columbia:* Roger F. Cutler, Crown Counsel.

Pursuant to Standing Order 68(4)(a) and the Order of Reference dated Thursday, October 30, 1997, the Standing Committee on Justice and Human Rights resumed consideration of the Criminal Code impaired driving provisions. (*See Minutes of Proceedings dated February 3, 1999, Meeting No. 109*)

The witnesses from the Canadian Police Association made opening statements and answered questions.

Maurice Pilon from the Canadian Association of Chiefs of Police made an opening statement, and along with Roy Berlinquette, answered questions.

Roger Cutler from the Ministry of the Attorney General of British Columbia made an opening statement and answered questions.

It was agreed, -- That the issue of time allocation for the questioning of witnesses be referred to the Sub-Committee on Agenda and Procedure.

At 12:17 p.m., the Committee adjourned to the call of the Chair.

Roxanne Enman / Roger Préfontaine



Clerk(s) of the Committee

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**MINUTES OF PROCEEDINGS**

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**JUSTICE AND HUMAN RIGHTS**

Chairman: John Maloney, Lib.

**Meeting No. 112**

**Wednesday, February 10, 1999**

---

**ORDER OF THE DAY:**

Consideration of the Criminal Code impaired driving provisions

**WITNESSES:**

*Ministry of Attorney General of British Columbia:*

Larry Campbell, Chief Coroner.

*Quebec Bar Association:*

Jean Asselin, Lawyer, "Comité permanent en droit criminel";

Carole Brosseau, Lawyer "Comité permanent en droit criminel".



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## MINUTES OF PROCEEDINGS

Meeting No. 112

Wednesday, February 10, 1999

The Standing Committee on Justice and Human Rights met at 3:30 p.m. this day, in Room 536, Wellington Building, the Chair, John Maloney, presiding.

*Member(s) of the Committee present:* Eleni Bakopanos, Chuck Cadman, Aileen Carroll, Paul DeVillers, Ivan Grose, Peter MacKay, John Maloney, Richard Marceau, John Reynolds and Jacques Saada.

*Acting Member(s) present:* Lynn Myers for Reg Alcock, Claude Drouin for Derek Lee.

*Associate Member present:* Richard Harris.

*In attendance: From the Library of Parliament:* Marilyn Pilon, Researcher and Philip Rosen, Senior Analyst.

*Witness(es): From the Quebec Bar Association:* Carole Brosseau, Lawyer, "Comité en droit criminel"; Jean Asselin, Lawyer, "Comité en droit criminel"; *From the Ministry of Attorney General of British Columbia:* Larry Campbell, Chief Coroner.

Pursuant to Standing Order 68(4)(a) and the Order of Reference dated Thursday, October 30, 1997, the Standing Committee on Justice and Human Rights resumed consideration of the Criminal Code impaired driving provisions. (*See Minutes of Proceedings dated Wednesday, February 3, 1999, Meeting No. 109*)

John Reynolds moved -- That the Standing Committee on Justice and Human Rights undertake an immediate review of the operation and impact of the use of section 742.1 Criminal Code regarding conditional sentencing, with the view to amend this section to ensure it is not used by the judiciary in cases involving violent crime.

Eleni Bakopanos moved, -- That the motion be amended by adding after the word "undertake" the following: "as requested by the Minister of Justice and Attorney General of Canada in her letter to the Committee dated April 20, 1998".

After debate, the amendment was agreed to unanimously.

After further debate, the motion as amended, was agreed to unanimously.

It was agreed, -- That the Sub-Committee on Agenda and Procedure meet at 9:00 a.m. on Tuesday, February 16, 1999.

At 3:45 p.m., the witnesses from the Quebec Bar Association made opening statements and answered questions.

At 4:45 p.m., Larry Campbell made an opening statement and answered questions.

At 5:25 p.m., the Committee adjourned to the call of the Chair.

Roxanne Enman / Roger Préfontaine

Clerk(s) of the Committee

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**MINUTES OF PROCEEDINGS**

Standing Committee  
on

**JUSTICE AND HUMAN RIGHTS**

Chairman: John Maloney, Lib.

**Meeting No. 113**

**Thursday, February 11, 1999**

---

**ORDER OF THE DAY:**

Consideration of the Criminal Code impaired driving provisions

**WITNESSES:**

*Canadian Council of Criminal Defence Lawyers:*

Edmond J. O'Neill, President;

Ravi Prithipaul, Lawyer.

*Criminal Lawyers Association of Ontario:*

Mike J. Neville, Regional Director and Co-Chair, Legislation Committee.

*As Individual:*

Andrejs Berzins.





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## MINUTES OF PROCEEDINGS

Meeting No. 113

Thursday, February 11, 1999

The Standing Committee on Justice and Human Rights met at 9:40 a.m. this day, in Room 308, West Block, the Chair, John Maloney, presiding.

*Member(s) of the Committee present:* Reg Alcock, Eleni Bakopanos, Chuck Cadman, Ivan Grose, Peter MacKay, John Maloney, Peter Mancini, John McKay and Jacques Saada.

*Acting Member(s) present:* Paul Bonwick for Aileen Carroll, Denis Coderre for Derek Lee, Richard Harris for Jim Abbott, Pierre Brien for Michel Bellehumeur.

*In attendance: From the Library of Parliament:* Marilyn Pilon, Researcher and Philip Rosen, Senior Analyst.

*Witness(es): From the Canadian Council of Criminal Defence Lawyers:* Edmond J. O'Neill, President; Ravi Prithipaul, Lawyer; *From the Criminal Lawyers Association of Ontario:* Mike J. Neville, Regional Director and Co-Chair, Legislation Committee; *From the Ministry of Attorney General:* Andrejs Berzins, Crown Attorney for Ottawa-Carleton.

Pursuant to Standing Order 68(4)(a) and the Order of Reference dated Thursday, October 30, 1997, the Standing Committee on Justice and Human Rights resumed consideration of the Criminal Code impaired driving provisions. (*See Minutes of Proceedings dated Wednesday, February 3, 1999, Meeting No. 109*)

The witnesses made opening statements and answered questions.

At 11:40 a.m., the Committee adjourned to the call of the Chair.

Roxanne Enman / Roger Préfontaine

Clerk(s) of the Committee



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**MINUTES OF PROCEEDINGS**

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on

**JUSTICE AND HUMAN RIGHTS**

Chairman: John Maloney, Lib.

**Meeting No. 114**

**Tuesday, February 16, 1999**

---

**ORDER OF THE DAY:**

Consideration of the Criminal Code impaired driving provisions

**WITNESSES:**

*Canadian Automobile Association:*

Elly Meister, Vice-President, Public Affairs and Communications;

Rosalinda Weisbrod, Manager, Traffic Safety.

*Council on Drug Abuse:*

John Bates, Member of the Board of Directors;

Fred Burford, President.

*Mothers Against Drunk Driving:*

Tony Carvalho, Chairperson of the National Board of Directors;

Susan MacAskill, National President;

Robert Solomon, Director, Legal Policy.



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## MINUTES OF PROCEEDINGS

Meeting No. 114

Tuesday, February 16, 1999

The Standing Committee on Justice and Human Rights met at 9:45 a.m. this day, in Room 536, Wellington Building, the Chair, John Maloney, presiding.

*Member(s) of the Committee present:* Eleni Bakopanos, Chuck Cadman, Paul DeVillers, Ivan Grose, Peter MacKay, John Maloney, John McKay and Jacques Saada.

*Acting Member(s) present:* Ian Murray for Reg Alcock, Richard Harris for Jim Abbott, Gary Lunn for John Reynolds, Pierre Brien for Michel Bellehumeur.

*In attendance: From the Library of Parliament:* Marilyn Pilon, Researcher; Philip Rosen, Senior Analyst.

*Witness(es): From the Mothers Against Drunk Driving:* Tony Carvalho, Chairperson of the National Board of Directors; Susan MacAskill, National President; Robert Solomon, Director, Legal Policy; *From the Council on Drug Abuse:* Fred Burford, President; John Bates, Member of the Board of Directors; *From the Canadian Automobile Association:* Rosalinda Weisbrod, Manager, Traffic Safety; Elly Meister, Vice President, Public Affairs and Communications.

Pursuant to Standing Order 68(4)(a) and the Order of Reference dated Thursday, October 30, 1997, the Standing Committee on Justice and Human Rights resumed consideration of the Criminal Code impaired driving provisions. (*See Minutes of Proceedings dated Wednesday, February 3, 1999, Meeting No. 109*)

Tony Carvalho and Susan MacAskill made opening statements and answered questions.

John Bates and Fred Burford made opening statements and answered questions.

Elly Meister made an opening statement, and along with Rosalinda Weisbrod, answered questions.

At 11:20 a.m., the sitting was suspended.

At 11:35 a.m., the sitting resumed in camera.

By unanimous consent, the Chair presented the First Report of the Sub-Committee on Agenda and Procedure, which reads as follows:

### FIRST REPORT OF THE SUB-COMMITTEE

#### ON AGENDA AND PROCEDURE

Your Sub-Committee on Agenda and Procedure met *in camera* at 9:10 o'clock a.m. Tuesday, February 16, 1999 in Room 536 Wellington Building, the Chair, John Maloney, presiding.



*Members of the Sub-Committee present:* Eleni Bakopanos, Paul DeVillers, John Maloney, Chuck Cadman, Peter MacKay.

*Acting Member present:* Pierre Brien for Michel Bellehumeur.

*Other Members present:* John Reynolds and Gary Lunn.

*In attendance: From the Library of Parliament:* Marilyn Pilon, Researcher and Philip Rosen, Senior Analyst.

The Sub-Committee proceeded to discuss its future business.

It was agreed, -- That the Research staff brief the Committee on the status of the Conditional Sentences appeals to the Supreme Court and that the question be considered at the next meeting of the Sub-Committee on Agenda and Procedure.

It was agreed, -- That in light of the recent announcement made by the Solicitor General, the motion on the funding for the complainants legal representation before the APEC commission standing in the name of Mr. Jim Abbott be considered redundant.

It was agreed, -- That the motion on child pornography standing in the name of Mr. John Reynolds be considered by the Committee on Wednesday, February 17, 1999.

It was agreed, -- That the motion on home invasion standing in the name of Mr. Chuck Cadman be considered by the Committee on Thursday, February 18, 1999.

It was agreed, -- That a blood alcohol content demonstration be held in the Chair's office on Wednesday, February 17, 1999 at 5:00 p.m.

At 9:35 o'clock a.m., the Sub-Committee adjourned to the call of the Chair.

It was agreed, -- That the First Report of the Sub-Committee on Agenda and Procedure be concurred in.

Paul DeVillers moved, -- That in keeping with the Committee's existing policy, the spokespersons for the Ontario Ministry of Transportation to appear before the Committee on its impaired driving study, be unelected officials.

The question was put on the motion, and it was, by a show of hands, agreed to: YEAS: 6; NAYS: 3.

At 11:40 a.m., the Committee adjourned to the call of the Chair.

Roxanne Enman / Roger Préfontaine

Clerk(s) of the Committee

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**MINUTES OF PROCEEDINGS**

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**JUSTICE AND HUMAN RIGHTS**

Chairman: John Maloney, Lib.

**Meeting No. 115**

**Wednesday, February 17, 1999**

---

**ORDER OF THE DAY:**

Consideration of the Criminal Code impaired driving provisions

**WITNESSES:**

*Province of Ontario:*

Donna Connelly, Senior Safety Policy Adviser, Road Safety Program Office, Ministry of  
Transportation;

Frank D'Onofrio, Director, Safety and Regulation Division, Ministry of Transportation.





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## MINUTES OF PROCEEDINGS

Meeting No. 115

Wednesday, February 17, 1999

The Standing Committee on Justice and Human Rights met at 3:40 p.m. this day, in Room 371, West Block, the Chair, John Maloney, presiding.

*Member(s) of the Committee present:* Reg Alcock, Eleni Bakopanos, Chuck Cadman, Paul DeVillers, Peter MacKay, John Maloney, John Reynolds and Jacques Saada.

*Acting Member(s) present:* Bryon Wilfert for Aileen Carroll, Larry McCormick for Ivan Grose, Richard Harris for Jim Abbott, Pierre Brien for Michel Bellehumeur.

*In attendance: From the Library of Parliament:* Marilyn Pilon, Researcher; Philip Rosen, Senior Analyst.

*Witness(es): From the Ontario Ministry of Transportation:* Frank D'Onofrio, Director, Road Safety User Project; Donna Connelly-Millar, Senior Policy Advisor.

Pursuant to Standing Order 68(4)(a) and the Order of Reference dated Thursday, October 30, 1997, the Standing Committee on Justice and Human Rights resumed consideration of the Criminal Code impaired driving provisions. (*See Minutes of Proceedings dated Wednesday, February 3, 1999, Meeting No. 109*)

Frank D'Onofrio made an opening statement, and along with Donna Connelly-Millar answered questions.

At 4:50 p.m., the sitting was suspended.

At 5:00 p.m., the sitting resumed.

John Reynolds moved, -- That in view of the fact that the Justice Shaw decision in B.C. has caused the dismissal of charges under Section 163.1(4) of the Criminal Code (child pornography) against a second individual in B.C., and in view of the fact that some 38 charges are pending under this same section of the Criminal Code, which could also be in jeopardy due to the Shaw decision, that this Committee take immediate action to reinstate Section 163.1(4) in its applicability in B.C., notwithstanding the pending B.C. Court of Appeal hearing on the Shaw decision.

After debate, the question being put, the motion was defeated on the following recorded division:

**YEAS:**

Chuck Cadman

Richard Harris

Peter MacKay

**NAYS:**

Reg Alcock

Eleni Bakopanos

Pierre Brien

John Reynolds (4)

Paul DeVillers

Larry McCormick

Jacques Saada

Bryon Wilfert (7)

At 5:10 p.m., the Committee adjourned to the call of the Chair.

Roxanne Enman / Roger Préfontaine

Clerk(s) of the Committee

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**MINUTES OF PROCEEDINGS**

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on

**JUSTICE AND HUMAN RIGHTS**

Chairman: John Maloney, Lib.

**Meeting No. 116**

**Tuesday, February 18, 1999**

---

**ORDER OF THE DAY:**

Consideration of the Criminal Code impaired driving provisions

**WITNESSES:**

*Canadian Bar Association:*

Heather E. Perkins-McVey, Vice-Chair, National Criminal Justice Section;

Tamra L. Thomson, Director, Legislation and Law Reform.



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## MINUTES OF PROCEEDINGS

Meeting No. 116

Thursday, February 18, 1999

The Standing Committee on Justice and Human Rights met at 9:40 a.m. this day, in Room 371, West Block, the Chair, John Maloney, presiding.

*Member(s) of the Committee present:* Reg Alcock, Eleni Bakopanos, Chuck Cadman, Paul DeVillers, Ivan Grose, Peter MacKay, John Maloney, John McKay, John Reynolds and Jacques Saada.

*Acting Member(s) present:* Richard Harris for Jim Abbott, Pierre Brien for Michel Bellehumeur, Denis Coderre for Derek Lee.

*In attendance: From the Library of Parliament:* Marilyn Pilon, Researcher; Philip Rosen, Senior Analyst.

*Witness(es): From the Canadian Bar Association:* Heather E. Perkins-McVey, Vice-Chair, National Criminal Justice Section; Tamra L. Thomson, Director, Legislation and Law Reform.

Pursuant to Standing Order 68(4)(a) and the Order of Reference dated Thursday, October 30, 1997, the Standing Committee on Justice and Human Rights resumed consideration of the Criminal Code impaired driving provisions. (*See Minutes of Proceedings dated Wednesday, February 3, 1999, Meeting No. 109*)

Chuck Cadman moved, -- That the Standing Committee on Justice and Human Rights immediately examine the phenomenon of home invasion with a view to:

1. expressing the seriousness with which Parliament views the act of invasion into homes and its terrorizing effect on the inhabitants, and,
2. aggravating factor to be considered at sentencing upon conviction of any resulting offence, or,
3. if deemed to be necessary, amending the Criminal code by creating a new offence.

Peter MacKay moved, -- That the motion be amended by deleting the word "immediately" and adding after the words "phenomenon of home invasion", the following: "in a timely fashion".

After debate, the amendment was unanimously agreed to.

After further debate, the question being put on the motion, as amended, it was negatived on the following division:

**YEAS:** Pierre Brien **NAYS:** Reg Alcock

Chuck Cadman Eleni Bakopanos

Richard Harris Denis Coderre

Peter MacKay Paul DeVillers

John Reynolds (5) Ivan Grose

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(7)

Tamra L. Thomson and Heather Perkins-McVey made opening statements and answered questions.

At 11:25 a.m., the Committee adjourned to the call of the Chair.

Roxanne Enman / Roger Préfontaine

Clerk(s) of the Committee



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HOUSE OF COMMONS OF CANADA  
36th PARLIAMENT, 1st SESSION

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**MINUTES OF PROCEEDINGS**

Standing Committee  
on

**JUSTICE AND HUMAN RIGHTS**

Chairman: John Maloney, Lib.

**Meeting No. 117**

**Tuesday, March 2, 1999**

---

**ORDER OF THE DAY:**

Consideration of the Criminal Code impaired driving provisions

**WITNESSES:**

*Canada Safety Council:*

Raynald Marchand, Manager, Traffic Safety and Training;

Emile-J. Therien, President.

*Canadian Council of Motor Transport Administrators:*

Janice Schmidt, Chair, Strategy to Reduce Impaired Driving Task Force.

*Insurance Bureau of Canada:*

Stan Griffin, Vice-President, Ontario;

Mark Yakabuski, Vice-President, Government Relations.

*Insurance Corporation of British Columbia:*

Greg D. Basham, Government and Corporate Relations Executive, Executive Office.



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## MINUTES OF PROCEEDINGS

Meeting No. 117

Tuesday, March 2, 1999

The Standing Committee on Justice and Human Rights met at 9:39 a.m. this day, in Room 371, West Block, the Chair, John Maloney, presiding.

*Member(s) of the Committee present:* Eleni Bakopanos, Michel Bellehumeur, Chuck Cadman, Peter MacKay, John Maloney, John McKay and Jacques Saada.

*Acting Member present:* Richard Harris for Jim Abbott.

*In attendance: From the Library of Parliament:* Marilyn Pilon, Researcher.

*Witness(es):* From the Canada Safety Council: Emile-J. Therien, President; Raynald Marchand, Manager, Traffic Safety and Training; Ethel Archard, Manager, Marketing and Promotion; From the Insurance Bureau of Canada: Mark Yakabuski, Vice-President, Government Relations; Stan Griffin, Vice-President, Ontario; From the Insurance Corporation of British Columbia: Greg D. Basham, Government and Corporate Relations Executive, Executive Office; From the Canadian Council of Motor Transport Administrators: Janice Schmidt, Chair, Strategy to Reduce Impaired Driving Task Force.

Pursuant to Standing Order 68(4)(a) and the Order of Reference dated Thursday, October 30, 1997, the Standing Committee on Justice and Human Rights resumed consideration of the Criminal Code impaired driving provisions. (*See Minutes of Proceedings dated Wednesday, February 3, 1999, Meeting No. 109*)

Emile-J. Therien from the Canadian Safety Council made an opening statement, and along with Raynald Marchand answered questions.

Mark Yakabuski and Stan Griffin from the Insurance Bureau of Canada made opening statements and answered questions.

Janice Schmidt from the Canadian Council of Motor Transport Administrators made an opening statement and answered questions.

Greg D. Basham from the Insurance Corporation of British Columbia made an opening statement and answered questions.

At 11:45 a.m., the Committee adjourned to the call of the Chair.

Roxanne Enman

Clerk of the Committee



HOUSE OF COMMONS OF CANADA  
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**MINUTES OF PROCEEDINGS**

Standing Committee  
on

**JUSTICE AND HUMAN RIGHTS**

Chairman: John Maloney, Lib.

**Meeting No. 118**

**Wednesday, March 3, 1999**

---

**ORDER OF THE DAY:**

Consideration of the Criminal Code impaired driving provisions

**WITNESSES:**

*Association of Canadian Distillers:*

Jan Westcott, President and Chief Executive Officer.

*Brewers Association of Canada:*

Howard Collins, Executive Vice-President;

Blair Dickerson, Director of Public Affairs;

R. A. Morrison, President.

*Canadian Restaurant and Foodservices Association:*

Joyce Reynolds, Senior Director, Government Affairs;

Donald R. Webster, Vice-Chairman.

*Hotel Association of Canada:*

Anthony P. Pollard, President.



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## MINUTES OF PROCEEDINGS

Meeting No. 118

Wednesday, March 3, 1999

The Standing Committee on Justice and Human Rights met at 3:45 p.m. this day, in Room 536, Wellington Building, the Chair, John Maloney, presiding.

*Member(s) of the Committee present:* Chuck Cadman, Aileen Carroll, Peter MacKay and John Maloney.

*Acting Member(s) present:* Richard Harris for Jim Abbott, Pierre Brien for Michel Bellehumeur.

*In attendance: From the Library of Parliament:* Marilyn Pilon, Researcher.

*Witness(es): From the Brewers Association of Canada:* R. A. Morrison, President and CEO; Howard Collins, Executive Vice-President; Blair Dickerson, Director, Public Affairs; *From the Association of Canadian Distillers:* Jan Westcott, President and CEO; Paul MacLaren, Vice-President, Marketing; *From the Canadian Restaurant and Food Services Association:* Joyce Reynolds, Senior Director, Government Affairs; Donald R. Webster, Member; *From the Hotel Association of Canada:* Anthony P. Pollard, President.

Pursuant to Standing Order 68(4)(a) and the Order of Reference dated Thursday, October 30, 1997, the Standing Committee on Justice and Human Rights resumed consideration of the Criminal Code impaired driving provisions. (*See Minutes of Proceedings dated Wednesday, February 3, 1999, Meeting No. 109*)

R.A. Morrison from the Brewers Association of Canada made an opening statement and along with Howard Collins and Blair Dickerson answered questions.

Jan Westcott from the Association of Canadian Distillers made an opening statement and answered questions.

Donald Webster from the Canadian Restaurant and Food Services Association made an opening statement, and along with Joyce Reynolds answered questions.

Anthony Pollard from the Hotel Association of Canada made an opening statement and answered questions.

At 5:05 p.m., the Committee adjourned to the call of the Chair.

Roxanne Enman

Clerk of the Committee





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**MINUTES OF PROCEEDINGS**

Standing Committee  
on

**JUSTICE AND HUMAN RIGHTS**

Chairman: John Maloney, Lib.

**Meeting No. 119**

**Thursday, March 4, 1999**

---

**ORDER OF THE DAY:**

Consideration of the Criminal Code impaired driving provisions

**WITNESSES:**

*Giroux-Talbot Family:*

Marjolaine Giroux, Representative;

Lévis Talbot, Representative.

*Zero Tolerance:*

Kenneth William Roffel, Representative.

*As Individuals:*

Doug Abernethy;

Jennifer Dickson;

Sharleen Verhulst.



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## MINUTES OF PROCEEDINGS

Meeting No. 119

Thursday, March 4, 1999

The Standing Committee on Justice and Human Rights met at 9:45 a.m. this day, in Room 371, West Block, the Chair, John Maloney, presiding.

*Member(s) of the Committee present:* Reg Alcock, Eleni Bakopanos, Chuck Cadman, Aileen Carroll, Peter MacKay, John Maloney, John McKay and Jacques Saada.

*Acting Member(s) present:* Randy White for Jim Abbott, Richard Harris for John Reynolds, Pierre Brien for Michel Bellehumeur, Antoine Dubé for Richard Marceau.

*In attendance: From the Library of Parliament:* Marilyn Pilon, Researcher.

*Witness(es): From Zero Tolerance:* Kenneth William Roffel; *From Giroux-Talbot Family:* Marjolaine Giroux; Lévis Talbot; *As Individual:* Doug Abernethy; Sharleen Verhulst, Coordinator, Crime Prevention, Ridge - Meadows R.C.M.P.; Jennifer Dickson, President, Drinking and Driving Counter Attack, University of British Columbia.

Pursuant to Standing Order 68(4)(a) and the Order of Reference dated Thursday, October 30, 1997, the Standing Committee on Justice and Human Rights resumed consideration of the Criminal Code impaired driving provisions. (*See Minutes of Proceedings dated Wednesday, February 3, 1999, Meeting No. 109*)

Marjolaine Giroux made an opening statement, and along with Lévis Talbot, answered questions.

Sharleen Verhulst made an opening statement, and along with Jennifer Dickson, answered questions.

Doug Abernethy made an opening statement and answered questions.

Kenneth Roffel made an opening statement and answered questions.

At 11:44 a.m., the Committee adjourned to the call of the Chair.

Roxanne Enman

Clerk of the Committee



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**MINUTES OF PROCEEDINGS**

Standing Committee  
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**JUSTICE AND HUMAN RIGHTS**

Chairman: John Maloney, Lib.

**Meeting No. 120**

**Tuesday, March 9, 1999**

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**ORDER OF THE DAY:**

Consideration of the Criminal Code impaired driving provisions

**WITNESSES:**

*Canadian Society for Forensic Science:*

Joel Mayer, Member and Toxicologist, Drugs and Driving Committee.

*Department of Justice:*

Donald Piragoff, General Counsel, Criminal Law Policy Section;

Hal Pruden, Counsel, Criminal Law Policy Section.

*Guardian Interlock Systems Corporation:*

Ian Marples, President;

Jean-Claude Mercure, Project Director, Quebec.





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## MINUTES OF PROCEEDINGS

Meeting No. 120

Tuesday, March 9, 1999

The Standing Committee on Justice and Human Rights met at 9:50 a.m. this day, in Room 308, West Block, the Chair, John Maloney, presiding.

*Members of the Committee present:* Eleni Bakopanos, Michel Bellehumeur, Paul DeVillers, Ivan Grose, Peter MacKay, John Maloney, John McKay and Jacques Saada.

*Acting Members present:* Richard Harris for Jim Abbott, Gary Lunn for John Reynolds and Pierre Brien for Richard Marceau.

*In attendance: From the Library of Parliament:* Marilyn Pilon, Research Officer; Philip Rosen, Senior Analyst.

*Witnesses: From the Guardian Interlock Systems:* Ian Marples, President; Jean-Claude Mercure, « Chargé du projet », Quebec; *From the Canadian Society for Forensic Science:* Joel Mayer, Member and Toxicologist, Drugs and Driving Committee; *From the Department of Justice:* Donald Piragoff, General Counsel, Criminal Law Policy Section; Hal Pruden, Counsel, Criminal Law Policy Section.

Pursuant to Standing Order 68(4)(a) and the Order of Reference dated Thursday, October 30, 1997, the Standing Committee on Justice and Human Rights resumed consideration of the Criminal Code impaired driving provisions. (*See Minutes of Proceedings dated Wednesday, February 3, 1999, Meeting No. 109*)

Ian Marples from Guardian Interlock Systems made an opening statement, and along with Jean-Claude Mercure, answered questions.

Joel Mayer, from the Canadian Society for Forensic Science made an opening statement and answered questions.

At 11:55 a.m., the sitting was suspended.

At 12:13 p.m., the sitting resumed.

Hal Pruden and Donald Piragoff from the Department of Justice answered questions.

At 1:52 p.m., the Committee adjourned to the call of the Chair.

Roxanne Enman / Roger Préfontaine

Clerks of the Committee



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**MINUTES OF PROCEEDINGS**

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on

**JUSTICE AND HUMAN RIGHTS**

Chair: John Maloney, Lib.

**Meeting No. 121**

**Tuesday, March 9, 1999**

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## MINUTES OF PROCEEDINGS

Meeting No. 121

Tuesday, March 9, 1999

The Standing Committee on Justice and Human Rights met *in camera* at 3:50 p.m. this day, in Room 308, West Block, the Chair, John Maloney, presiding.

*Members of the Committee present:* Eleni Bakopanos, Michel Bellehumeur, Aileen Carroll, Paul DeVillers, Ivan Grose, John Maloney, Peter Mancini, John McKay and Jacques Saada.

*Acting Members present:* Gary Lunn for Jim Abbott, Richard Harris for John Reynolds and Pierre Brien for Richard Marceau.

*In attendance: From the Library of Parliament:* Marilyn Pilon, Research Officer and Philip Rosen, Senior Analyst. *From Committees and Legislative Services:* Rhona Einbinder-Miller, Senior Legislative Counsel.

Pursuant to Standing Order 68(4)(a) and the Order of Reference dated Thursday, October 30, 1997, the Standing Committee on Justice and Human Rights resumed consideration of the Criminal Code impaired driving provisions. (*See Minutes of Proceedings dated Wednesday, February 3, 1999, Meeting No. 109*).

The Committee proceeded to consider its draft report.

It was agreed, - That the Committee continue consideration of its draft report on Thursday, March 11, 1999 at 4:00 p.m. and if need be on Wednesday, March 17, 1999 at 3:30 p.m.

It was agreed, - That the clause-by-clause study of Bill C-251 be scheduled for Wednesday, March 24, 1999.

At 5:36 p.m., the Committee adjourned to the call of the Chair.

Roxanne Enman / Roger Préfontaine

Clerks of the Committee



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**MINUTES OF PROCEEDINGS**

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**JUSTICE AND HUMAN RIGHTS**

Chair: John Maloney, Lib.

**Meeting No. 122**

**Wednesday, March 10, 1999**

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**ORDER OF THE DAY:**

Consideration of Bill C-251, An Act to amend the Criminal Code and the Corrections and Conditional Release Act (cumulative sentences)

**WITNESSES:**

*Department of Justice:*

David Daubney, Coordinator, Sentencing Reform.

*Ministry of the Solicitor General of Canada:*

Mary E. Campbell, Director, Corrections Policy.





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## MINUTES OF PROCEEDINGS

Meeting No. 122

Wednesday, March 10, 1999

The Standing Committee on Justice and Human Rights met at 3:40 p.m. this day, in Room 701, La Promenade Building, the Chair, John Maloney, presiding.

*Member(s) of the Committee present:* Jim Abbott, Eleni Bakopanos, Paul DeVillers, Ivan Grose, Peter MacKay, John Maloney, John McKay, John Reynolds and Jacques Saada.

*Acting Member present:* Pierre Brien for Michel Bellehumeur.

*Other Member present:* Albina Guarnieri.

*In attendance: From the Library of Parliament:* Marilyn Pilon, Researcher; Philip Rosen, Senior Analyst.

*Witness(es): From the Department of Justice:* David Daubney, Coordinator, Sentencing Reform;  
*From the Ministry of the Solicitor General of Canada:* Mary Campbell, Director, Corrections Policy.

Pursuant to its Order of Reference dated Thursday, October 22, 1998, the Standing Committee on Justice and Human Rights resumed consideration of Bill C-251, An Act to amend the Criminal Code and the Corrections and Conditional Release Act (cumulative sentences). (*See Minutes of Proceedings dated Tuesday, December 1<sup>st</sup>, 1998, Meeting No. 106*)

The witnesses made opening statements and answered questions.

At 5:10 p.m., the Committee adjourned to the call of the Chair.

Roxanne Enman / Roger Préfontaine

Clerk(s) of the Committee



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**MINUTES OF PROCEEDINGS**

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**JUSTICE AND HUMAN RIGHTS**

Chair: John Maloney, Lib.

**Meeting No. 123**

**Thursday, March 11, 1999**

---

**ORDER OF THE DAY:**

Consideration of Bill C-251, An Act to amend the Criminal Code and the Corrections and Conditional Release Act (cumulative sentences)

**WITNESSES:**

*Canadian Association of Chiefs of Police:*

John Lindsay, Chief, President.

*Canadian Police Association:*

Grant Obst, Constable, President;

Joe Ross, Executive Vice-President/Secretary-Treasurer.

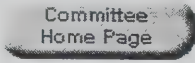
*Canadian Resource Centre for Victims of Crime:*

Steve Sullivan, Executive Director.

*Victims of Violence Centre for Missing Children:*

Gary Rosenfeldt, Executive Director.



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## MINUTES OF PROCEEDINGS

Meeting No. 123

Thursday, March 11, 1999

The Standing Committee on Justice and Human Rights met at 9:15 a.m. this day, in Room 308, West Block, the Chair, John Maloney, presiding.

*Member(s) of the Committee present:* Jim Abbott, Reg Alcock, Paul DeVillers, Ivan Grose, Peter MacKay, John Maloney, Richard Marceau, John McKay and Jacques Saada.

*Other Member present:* Albina Guarnieri.

*In attendance: From the Library of Parliament:* Marilyn Pilon, Researcher and Philip Rosen, Senior Analyst.

*Witness(es): From the Canadian Association of Chiefs of Police:* Chief John Lindsay, Q.C., President, Edmonton Police Service; *From the Canadian Police Association:* Grant Obst, President; J.W. "Joe" Ross, Executive Vice-President / Secretary Treasurer; *From the Victims of Violence Centre for Missing Children:* Gary Rosenfeldt, Executive Director; *From the Canadian Resource Centre for Victims of Crime:* Steve Sullivan, Executive Director.

Pursuant to its Order of Reference dated Thursday, October 22, 1998, the Standing Committee on Justice and Human Rights resumed consideration of Bill C-251, An Act to amend the Criminal Code and the Corrections and Conditional Release Act (cumulative sentences). (*See Minutes of Proceedings dated Tuesday, December 1<sup>st</sup>, 1998, Meeting No. 106*)

The witnesses made opening statements and answered questions.

At 11:46 a.m., the Committee adjourned to the call of the Chair.

Roxanne Enman / Roger Préfontaine

Clerk(s) of the Committee





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Chair: John Maloney, Lib.

**Meeting No. 124**

**Thursday, March 11, 1999**

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## MINUTES OF PROCEEDINGS

Meeting No. 124

Thursday, March 11, 1999

The Standing Committee on Justice and Human Rights met *in camera* at 4:04 p.m. this day, in Room 308, West Block, the Chair, John Maloney, presiding.

*Member(s) of the Committee present:* Jim Abbott, Reg Alcock, Eleni Bakopanos, Michel Bellehumeur, Paul DeVillers, Ivan Grose, Peter MacKay, John Maloney, John McKay and Jacques Saada.

*Acting Member(s) present:* Richard Harris for Jim Abbott, Pierre Brien for Richard Marceau.

*In attendance: From the Library of Parliament:* Marilyn Pilon, Researcher and Philip Rosen, Senior Analyst.

Pursuant to Standing Order 68(4)(a) and the Order of Reference dated Thursday, October 30, 1997, the Standing Committee on Justice and Human Rights resumed consideration of the Criminal Code impaired driving provisions. (*See Minutes of Proceedings dated Wednesday, February 3, 1999, Meeting No. 109.*)

The Committee resumed discussion of its draft report.

At 6:10 p.m., the Committee adjourned to the call of the Chair.

Roxanne Enman / Roger Préfontaine

Clerk(s) of the Committee



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**MINUTES OF PROCEEDINGS**

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on

**JUSTICE AND HUMAN RIGHTS**

Chairman: John Maloney, Lib.

**Meeting No. 125**

**Tuesday, March 16, 1999**

---

**ORDER OF THE DAY:**

Consideration of Bill C-251, An Act to amend the Criminal Code and the Corrections and Conditional Release Act (cumulative sentences)

**WITNESSES:**

*Canadian Bar Association:*

Isabelle Schurman, Chair, National Criminal Justice Section;

Tamra L. Thomson, Director, Legislation and Law Reform.

*Church Council on Justice and Corrections:*

Rick Prashaw, Communications Coordinator.

*Criminal Lawyers' Association:*

Irwin Koziobrocki, Vice-President, Toronto.

*John Howard Society of Alberta:*

Christine Leonard, Executive Director.

*Life Line Concept:*

René Durocher, Senior In-Reach Worker;

Glen Flett, Executive Director. Long-Term Offenders in the Community.

*National Associations Active in Criminal Justice:*

Lisa Addario, Executive Coordinator.

*St. Leonard's Society of Canada:*

Elizabeth White, Executive Director.

*University of Calgary:*

Rainer Knopf, Professor, Department of Political Science.

*University of McGill:*

Christopher Manfredi, Professor, Department of Political Science.

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## MINUTES OF PROCEEDINGS

Meeting No. 125

Tuesday, March 16, 1999

The Standing Committee on Justice and Human Rights met at 8:40 a.m. this day, in Room 371, West Block, the Chair, John Maloney, presiding.

*Member(s) of the Committee present:* Jim Abbott, Reg Alcock, Eleni Bakopanos, Michel Bellehumeur, Peter MacKay, John Maloney, John McKay, John Reynolds and Jacques Saada.

*Other Member present:* Albina Guarnieri.

*In attendance: From the Library of Parliament:* Marilyn Pilon, Researcher and Philip Rosen, Senior Analyst.

*Witness(es): From the Canadian Bar Association:* Isabel Schurman, Chair, National Criminal Justice Section; Tamra L. Thomson, Director, Legislation and Law Reform. *From the National Associations Active in Criminal Justice:* Lisa Addario, Executive Coordinator. *From the Criminal Lawyers' Association:* Irwin Koziobrocki, Vice-President, Toronto. *From the University of Calgary:* Rainer Knopff, Professor, Department of Political Science. *From the University McGill:* Christopher Manfredi, Professor, Department of Political Science. *From the Life Line Concept:* René Durocher, Senior In-Reach Worker; Glenn Flett, Executive Director, L.I.N.C. (Long-Term Inmates Now in the Community). *From the Church Council on Justice and Corrections:* Rick Prashaw, Communications Coordinator. *From the John Howard Society of Alberta:* Christine Leonard, Executive Director. *From the St. Leonard's Society of Canada:* Elizabeth White, Executive Director.

Pursuant to its Order of Reference dated Thursday, October 22, 1998, the Standing Committee on Justice and Human Rights resumed consideration of Bill C-251, An Act to amend the Criminal Code and the Corrections and Conditional Release Act (cumulative sentences). (*See Minutes of Proceedings dated Tuesday, December 1<sup>st</sup>, 1998, Meeting No. 106*)

The witnesses made opening statements and answered questions.

At 12:42 p.m., the Committee adjourned to the call of the Chair.

Roxanne Enman

Clerk of the Committee





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**MINUTES OF PROCEEDINGS**

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**JUSTICE AND HUMAN RIGHTS**

Chair: John Maloney, Lib.

**Meeting No. 126**

**Wednesday, March 17, 1999**

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## MINUTES OF PROCEEDINGS

Meeting No. 126

Wednesday, March 17, 1999

The Standing Committee on Justice and Human Rights met *in camera* at 3:47 p.m. this day, in Room 371, West Block, the Chair, John Maloney, presiding.

*Member(s) of the Committee present:* Jim Abbott, Reg Alcock, Eleni Bakopanos, Michel Bellehumeur, Peter MacKay, John Maloney, Peter Mancini, John McKay and Jacques Saada.

*Acting Member present:* Richard Harris for Jim Abbott.

*In attendance: From the Library of Parliament:* Marilyn Pilon, Researcher.

Pursuant to Standing Order 68(4)(a) and the Order of Reference dated Thursday, October 30, 1997, the Standing Committee on Justice and Human Rights resumed consideration of the Criminal Code impaired driving provisions. (*See Minutes of Proceedings dated Wednesday, February 3, 1999, Meeting No. 109.*)

The Committee proceeded to discuss its draft report.

It was agreed, -- That a meeting to continue consideration of the draft report be convened for Thursday, March 25, 1999 at 9:00 a.m.

At 5:34 p.m., the Committee adjourned to the call of the Chair.

Roxanne Enman

Clerk of the Committee



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Chair: John Maloney, Lib.

**Meeting No. 127**

**Thursday, March 18, 1999**

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**ORDER OF THE DAY:**

Consideration of Bill C-284, An Act to amend the Criminal Records Act and the Canadian Human Rights Act (offences against children)

**WITNESSES:**

*Canadian Police Association:*

David Griffin, Executive Officer;

Jon Netelenbos, Sergeant, Vice-President.

*John Howard Society of Alberta:*

Christine Leonard, Executive Director.

*Ministry of the Attorney General of British Columbia:*

Bruce Headridge, Detective/Constable, Coordinated Law Enforcement Unit.

*Ontario Association of Chiefs of Police:*

Julian Fantino, Chief, York Regional Police.

*As Individual:*

Gerry Peters.





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## MINUTES OF PROCEEDINGS

Meeting No. 127

Thursday, March 18, 1999

The Standing Committee on Justice and Human Rights met at 9:11 a.m. this day, in Room 371, West Block, the Chair, John Maloney, presiding.

*Member(s) of the Committee present:* Jim Abbott, Reg Alcock, Eleni Bakopanos, Michel Bellehumeur, Chuck Cadman, John Maloney, John McKay and Jacques Saada.

*Acting Member(s) present:* Roy Cullen for Paul DeVillers, Janko Peric for Ivan Grose, Joseph Volpe for Aileen Carroll, Eric Lowther for John Reynolds.

*In attendance: From the Library of Parliament:* Marilyn Pilon, Researcher.

*Witness(es): From the John Howard Society of Alberta:* Christine Leonard, Executive Director; *From the Ontario Association of Chiefs of Police:* Julian Fantino, Chief, York Regional Police; *From the Canadian Police Association:* Jon Netelenbos, Vice-President; David Griffin, Executive Officer; *From the Ministry of Attorney General of British Columbia:* Bruce Headridge, Detective/Constable, Coordinated Law Enforcement Unit; *As Individual:* Gerry Peters, R.C.M.P. - Provincial Prostitution Unit.

Pursuant to its Order of Reference dated Tuesday, October 6, 1998, the Committee resumed consideration of Bill C-284, An Act to amend the Criminal Records Act and the Canadian Human Rights Act (offences against children). (*See Minutes of Proceedings dated Tuesday, December 1, 1998, Meeting No. 106*)

The witnesses made opening statements and answered questions.

At 12:15 p.m., the Committee proceeded in camera.

On motion of Jacques Saada, it was agreed, -- That the Committee invite Inspector Gessie Clément from the Criminal History Section of the Canadian Police Information Centre (C.P.I.C.) to appear on Bill C-284 on Tuesday, March 23, 1999.

It was agreed, by unanimous consent, -- That the Committee consider a draft operational budget and 3 travel budgets for the Sub-Committee on the Corrections and Conditional Release Act.

On motion of John McKay, it was agreed, -- That an operational budget in the amount of \$65,000.00 for the purpose of holding public hearings on the Corrections and Conditional Release Act and Bill C-68 (An Act in respect of criminal justice for young persons and to amend and repeal other Acts) be approved as submitted.

On motion of Chuck Cadman, it was agreed, -- That the budgets for travel by the Sub-Committee on the Corrections and Conditional Release Act to Edmonton, Saskatoon and Winnipeg during the week of April 19, 1999, in the amount of \$56,760.24, to Kingston and Toronto during the week of May 10, 1999 in the amount of \$37,022.50, and to Montreal during the week of May 24, 1999 in the amount



of \$32,144.50 be approved as submitted and that the Chair seek authorization to travel from the House.

At 12:33 p.m., the Committee adjourned to the call of the Chair.

Roxanne Enman

Clerk of the Committee



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**MINUTES OF PROCEEDINGS**

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on

**JUSTICE AND HUMAN RIGHTS**

Chair: John Maloney, Lib.

**Meeting No. 128**

**Tuesday, March 23, 1999**

---

**ORDER OF THE DAY:**

Study of Bill C-284, An Act to amend the Criminal Records Act and the Canadian Human Rights Act (offences against children)

**WITNESSES:**

*Canada Family Action Coalition:*

Peter Stock, National Affairs Director.

*Canadian Association of Elizabeth Fry Societies:*

Kim Pate, Executive Director.

*Canadian Resource Centre for Victims of Crime:*

Steve Sullivan, Executive Director.

*Churchill Park Family Care Society:*

Noreen Murphy, Executive Director.

*Victims of Violence Canadian Centre for Missing Children:*

Gary Rosenfeldt, Executive Director.

*Volunteer Canada:*

Paddy Bowen, Executive Director.



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## MINUTES OF PROCEEDINGS

Meeting No. 128

Tuesday, March 23, 1999

The Standing Committee on Justice and Human Rights met at 9:10 a.m. this day, in Room 371, West Block, the Chair, John Maloney, presiding.

*Member(s) of the Committee present:* Eleni Bakopanos, Chuck Cadman, Paul DeVillers, Ivan Grose, Peter MacKay, John Maloney, Richard Marceau, John McKay, John Reynolds and Jacques Saada.

*Acting Member present:* Eric Lowther for Jim Abbott.

*In attendance: From the Library of Parliament:* Philip Rosen, Senior Analyst.

*Witness(es):* From the Victims of Violence Centre for Missing Children: Gary Rosenfeldt, Executive Director; From the Canadian Resource Centre for Victims of Crime: Steve Sullivan, Executive Director; From the Volunteer Canada: Paddy Bowen, Executive Director; From the Churchill Park Family Care Society: Noreen Murphy, Executive Director; From the Canadian Association of Elizabeth Fry Societies: Kim Pate, Executive Director; From the Canada Family Action Coalition: Peter Stock, National Affairs Director.

Pursuant to its Order of Reference dated Tuesday, October 6, 1998, the Committee resumed consideration of Bill C-284, An Act to amend the Criminal Records Act and the Canadian Human Rights Act (offences against children). (*See Minutes of Proceedings dated Tuesday, December 1, 1998, Meeting No. 106*)

The witnesses made opening statements and answered questions

At 10:25 a.m., the sitting was suspended.

At 11:08 a.m., the sitting resumed.

At 12:29 p.m., the Committee adjourned to the call of the Chair.

Roxanne Enman / Roger Préfontaine

Clerk(s) of the Committee





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HOUSE OF COMMONS OF CANADA  
36th PARLIAMENT, 1st SESSION

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**MINUTES OF PROCEEDINGS**

Standing Committee  
on

**JUSTICE AND HUMAN RIGHTS**

Chair: John Maloney, Lib.

**Meeting No. 129**

**Tuesday, March 23, 1999**

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**ORDER OF THE DAY:**

Study of Bill C-284, An Act to amend the Criminal Records Act and the Canadian Human Rights Act  
(offences against children)

**WITNESSES:**

*Ministry of the Solicitor General of Canada:*

Richard Zubrycki, Director General, Corrections Directorate.

*Royal Canadian Mounted Police:*

Gessie Clément, Officer in Charge of the Canadian Criminal Records Information Services;  
Robert Terris, Officer in Charge, Canadian Police Information Centre (CPIC).



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## MINUTES OF PROCEEDINGS

Meeting No. 129

Tuesday, March 23, 1999

The Standing Committee on Justice and Human Rights met at 3:36 p.m. this day, in Room 371, West Block, the Chair, John Maloney, presiding.

*Member(s) of the Committee present:* Eleni Bakopanos, Chuck Cadman, Paul DeVillers, Ivan Grose, John Maloney, John McKay and Jacques Saada.

*Acting Member present:* Eric Lowther for Jim Abbott.

*In attendance: From the Library of Parliament:* Philip Rosen, Senior Analyst.

*Witness(es): From the Ministry of the Solicitor General of Canada:* Richard Zubrycki, Director General, Corrections Directorate; *From the National Parole Board:* Pierre Couturier, Acting Manager, Clemency and Pardons; *From the Royal Canadian Mounted Police:* Robert Terris, Officer-in-Charge, Canadian Police Information Centre (CPIC); Gessie Clément, Officer-in-Charge of the Canadian Criminal Records Information Services.

Pursuant to its Order of Reference dated Tuesday, October 6, 1998, the Committee resumed consideration of Bill C-284, An Act to amend the Criminal Records Act and the Canadian Human Rights Act (offences against children). (*See Minutes of Proceedings dated Tuesday, December 1, 1998, Meeting No. 106*)

The witnesses made opening statements and answered questions.

It was agreed, -- That Clause-by-Clause consideration of Bill C-284 be rescheduled to the week of April 26, 1999.

At 5:05 p.m., the Committee adjourned to the call of the Chair.

Roxanne Enman / Roger Préfontaine

Clerk(s) of the Committee



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**MINUTES OF PROCEEDINGS**

Standing Committee  
on

**JUSTICE AND HUMAN RIGHTS**

Chairman: John Maloney, Lib.

**Meeting No. 130**

**Wednesday, March 24, 1999**

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**ORDERS OF THE DAY:**

Consideration of Bill C-251, An Act to amend the Criminal Code and the Corrections and Conditional Release Act (cumulative sentences)

Study of the Criminal Code impaired driving provisions





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## MINUTES OF PROCEEDINGS

Meeting No. 130

Wednesday, March 24, 1999

The Standing Committee on Justice and Human Rights met at 4:40 p.m. this day, in Room 371, West Block, the Chair, John Maloney, presiding.

*Member(s) of the Committee present:* Reg Alcock, Eleni Bakopanos, Michel Bellehumeur, Chuck Cadman, Paul DeVillers, Ivan Grose, Peter MacKay, John Maloney, Peter Mancini, John McKay, John Reynolds and Jacques Saada.

*Acting Member(s) present:* Eric Lowther for Jim Abbott, Pierre Brien for Richard Marceau, Richard Harris for Chuck Cadman.

*Other Member present:* Albina Guarnieri.

*In attendance: From the Library of Parliament:* Marilyn Pilon, Researcher and Philip Rosen, Senior Analyst.

Pursuant to its Order of Reference dated Thursday, October 22, 1998, the Standing Committee on Justice and Human Rights resumed consideration of Bill C-251, An Act to amend the Criminal Code and the Corrections and Conditional Release Act (cumulative sentences). (*See Minutes of Proceedings dated Tuesday, December 1<sup>st</sup>, 1998, Meeting No. 106*)

The Committee proceeded to Clause-by-Clause consideration of the Bill.

The Chair called Clause 1.

Clause 1 was negatived, by a show of hands - YEAS: 3, NAYS: 9.

Clause 2 was negatived, by a show of hands - YEAS: 3, NAYS: 8.

The Title was negatived, by a show of hands - YEAS: 3, NAYS: 8.

The Bill was negatived, by a show of hands - YEAS: 3, NAYS: 8.

It was agreed, -- That the Chair report Bill C-251 to the House.

At 4:44 p.m., the sitting was suspended.

At 4:49 p.m., the sitting resumed in camera.

Pursuant to Standing Order 68(4)(a) and the Order of Reference dated Thursday, October 30, 1997, the Standing Committee on Justice and Human Rights resumed consideration of the Criminal Code impaired driving provisions. (*See Minutes of Proceedings dated Wednesday, February 3, 1999, Meeting No. 109*).

The Committee proceeded to discuss its draft report.

At 6:20 p.m., the Committee adjourned to the call of the Chair.

Roxanne Enman / Roger Préfontaine

Clerk(s) of the Committee

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**MINUTES OF PROCEEDINGS**

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Chair: John Maloney, Lib.

**Meeting No. 131**

**Thursday, March 25, 1999**

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**IN CAMERA**



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## MINUTES OF PROCEEDINGS

Meeting No. 131

Thursday, March 25, 1999

The Standing Committee on Justice and Human Rights met *in camera* at 9:15 a.m. this day, in Room 371, West Block, the Chair, John Maloney, presiding.

*Member(s) of the Committee present:* Eleni Bakopanos, Chuck Cadman, Paul DeVillers, Ivan Grose, Peter MacKay, John Maloney and Peter Mancini.

*Acting Member(s) present:* Richard Harris for Jim Abbott, Pierre Brien for Richard Marceau.

*In attendance: From the Library of Parliament:* Marilyn Pilon, Researcher and Philip Rosen, Senior Analyst.

Pursuant to Standing Order 68(4)(a) and the Order of Reference dated Thursday, October 30, 1997, the Standing Committee on Justice and Human Rights resumed consideration of the Criminal Code impaired driving provisions. (*See Minutes of Proceedings dated Wednesday, February 3, 1999, Meeting No. 109*).

The Committee proceeded to discuss its draft report.

It was agreed, -- That the Committee invite Joel Mayer, Wayne Jeffery and Department officials to appear before the Committee from 8:00 a.m. to 9:00 a.m. on Tuesday, April 13, 1999.

It was agreed, -- That the Committee continue consideration of its draft report at 9:00 a.m. on Tuesday, April 13, 1999.

At 11:47 a.m., the Committee adjourned to the call of the Chair.

Roxanne Enman / Roger Préfontaine

Clerk(s) of the Committee



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**MINUTES OF PROCEEDINGS**

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Chair: John Maloney, Lib.

**Meeting No. 132**

**Tuesday, April 13, 1999**

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**IN CAMERA**





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## MINUTES OF PROCEEDINGS

Meeting No. 132

Tuesday, April 13, 1999

The Standing Committee on Justice and Human Rights met at 8:08 a.m. this day, in Room 371, West Block, the Chair, John Maloney, presiding.

*Member(s) of the Committee present:* Eleni Bakopanos, Chuck Cadman, Aileen Carroll, Paul DeVillers, Ivan Grose, Derek Lee, Peter MacKay, John Maloney, Richard Marceau, John McKay and Jacques Saada.

*Acting Member(s) present:* Richard Harris for Jim Abbott, Pierre Brien for Michel Bellehumeur.

*In attendance: From the Library of Parliament:* Marilyn Pilon, Researcher and Philip Rosen, Senior Analyst.

*Witness(es): From the Canadian Society for Forensic Science:* Wayne Jeffery, Chair, Drugs and Driving Committee, Vancouver Forensic Laboratory; Joel Mayer, Member and Toxicologist, Drugs and Driving Committee; *From the Department of Justice:* Donald K. Piragoff, General Counsel, Criminal Law Policy Section; Hal Pruden, Counsel, Criminal Law Policy Section.

Pursuant to Standing Order 68(4)(a) and the Order of Reference dated Thursday, October 30, 1997, the Standing Committee on Justice and Human Rights resumed consideration of the Criminal Code impaired driving provisions. (*See Minutes of Proceedings dated Wednesday, February 3, 1999, Meeting No. 109*).

The witnesses answered questions.

At 9:43 a.m., the sitting was suspended.

At 10:04 a.m., the sitting resumed *in camera*.

The Committee resumed consideration of its draft report.

At 11:35 a.m., the Committee proceeded to discuss its future business.

At 11:44 a.m., the Committee adjourned to the call of the Chair.

Roxanne Enman / Roger Préfontaine

Clerk(s) of the Committee



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**MINUTES OF PROCEEDINGS**

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**JUSTICE AND HUMAN RIGHTS**

Chair: John Maloney, Lib.

**Meeting No. 133**

**Wednesday, April 21, 1999**

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**ORDER OF THE DAY:**

Study of Bill C-79, An Act to amend the Criminal code (victims of crime) and another Act in consequence be now read a second time and referred to the Standing Committee on Justice and Human Rights

**WITNESSES:**

*Department of Justice:*

Catherine Kane, Counsel, Criminal Law Policy Section;

Yvan Roy, Senior Counsel, Criminal Law Policy Section



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## MINUTES OF PROCEEDINGS

Meeting No. 133

Wednesday, April 21, 1999

The Standing Committee on Justice and Human Rights met at 3:40 p.m. this day, in Room 536, Wellington Building, the Chair, John Maloney, presiding.

*Member(s) of the Committee present:* Eleni Bakopanos, Michel Bellehumeur, Chuck Cadman, Derek Lee, Peter MacKay, John Maloney and John McKay.

*In attendance: From the Library of Parliament:* Marilyn Pilon, Researcher.

*Witness(es): From the Department of Justice:* Catherine Kane, Counsel, Criminal Law Policy Section; Yvan Roy, Senior General Counsel, Criminal Law Policy Section.

Pursuant to Standing Order 108(3) and the Order of Reference dated Tuesday, April 20, 1999, the Committee commenced consideration of Bill C-79, An Act to amend the Criminal Code (victims of crime) and another Act in consequence.

The Order of Reference dated Tuesday, April 20, 1999, being read as follows:

ORDERED, -- That Bill C-79, An Act to amend the Criminal Code (victims of crime) and another Act in consequence be now read a second time and referred to the Standing Committee on Justice and Human Rights.

The Chair called Clause 1.

Catherine Kane from the Department of Justice made opening statement, and along with Yvan Roy, answered questions.

At 5:10 p.m., the Committee adjourned to the call of the Chair.

Roxanne Enman

Clerk of the Committee





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**MINUTES OF PROCEEDINGS**

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**JUSTICE AND HUMAN RIGHTS**

Chair: John Maloney, Lib.

**Meeting No. 134**

**Thursday, April 22, 1999**

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**ORDER OF THE DAY:**

Study of Bill C-79, An Act to amend the Criminal code (victims of crime) and another Act in consequence

**APPEARING:**

Hon. Anne McLellan, Minister of Justice and Attorney General of Canada

**WITNESSES:**

*Department of Justice:*

Catherine Kane, Counsel, Criminal Law Policy Section;

Yvan Roy, Senior General Counsel, Criminal Law Policy Section.



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## MINUTES OF PROCEEDINGS

Meeting No. 134

Thursday, April 22, 1999

The Standing Committee on Justice and Human Rights met at 11:55 a.m. this day, in Room 371, West Block, the Chair, John Maloney, presiding.

*Member(s) of the Committee present:* Eleni Bakopanos, Michel Bellehumeur, Chuck Cadman, Aileen Carroll, Derek Lee, Peter MacKay, John Maloney, Peter Mancini, John McKay, John Reynolds and Jacques Saada.

*In attendance: From the Library of Parliament:* Marilyn Pilon, Researcher.

*Appearing::* The Hon. Anne McLellan, Minister of Justice and Attorney General of Canada.

*Witness(es): From the Department of Justice:* Catherine Kane, Counsel, Criminal Law Policy Section; Yvan Roy, Senior General Counsel, Criminal Law Policy Section.

Pursuant to Standing Order 108(3) and the Order of Reference dated Tuesday, April 20, 1999, the Committee resumed consideration of Bill C-79, An Act to amend the Criminal Code (victims of crime) and another Act in consequence. (*See Minutes of Proceedings dated Wednesday, April 21, 1999, Meeting No. 133*)

The Minister made an opening statement, and along with Catherine Kane and Yvan Roy, answered questions.

At 1:12 p.m., the Committee adjourned to the call of the Chair.

Roxanne Enman

Clerk of the Committee



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**MINUTES OF PROCEEDINGS**

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**JUSTICE AND HUMAN RIGHTS**

Chair: John Maloney, Lib.

**Meeting No. 136**

**Tuesday, April 27, 1999**

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**IN CAMERA**



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## MINUTES OF PROCEEDINGS

Meeting No. 136

Tuesday, April 27, 1999

The Standing Committee on Justice and Human Rights met *in camera* at 3:54 p.m. this day, in Room 371, West Block, the Vice-Chair, Paul DeVillers, presiding.

*Member(s) of the Committee present:* Reg Alcock, Eleni Bakopanos, Michel Bellemumeur, Paul DeVillers, Ivan Grose, Derek Lee and John McKay.

*Acting Member(s) present:* Richard Harris for Jim Abbott, Randy White for John Reynolds, Raymond Bonin for Aileen Carroll, Pierre Brien for Richard Marceau.

*In attendance: From the Library of Parliament:* Marilyn Pilon, Researcher and Philip Rosen, Senior Analyst.

Pursuant to Standing Order 68(4)(a) and the Order of Reference dated Thursday, October 30, 1997, the Standing Committee on Justice and Human Rights resumed consideration of the Criminal Code impaired driving provisions. (*See Minutes of Proceedings dated Wednesday, February 3, 1999, Meeting No. 109*).

The Committee resumed consideration of its draft report.

At 5:29 p.m., the Committee adjourned to the call of the Chair.

Roxanne Enman / Roger Préfontaine

Clerk(s) of the Committee





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**MINUTES OF PROCEEDINGS**

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on

**JUSTICE AND HUMAN RIGHTS**

Chairman: John Maloney, Lib.

**Meeting No. 137**

Wednesday, April 28, 1999

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**ORDER OF THE DAY:**

Study of the Main Estimates for the fiscal year ending March 31, 2000 — Votes 1, 5, 10, 15, 20, 25, 30, 35, 40, 45 and 50 under Solicitor General

**APPEARING:**

Hon. Lawrence MacAulay, Solicitor General of Canada

**WITNESSES:**

*Canadian Security Intelligence Service:*

Ward Elcock, Director.

*Correctional Service of Canada:*

Ole Ingstrup, Commissioner.

*Royal Canadian Mounted Police:*

Philip Murray, Commissioner.



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## MINUTES OF PROCEEDINGS

Meeting No. 137

Wednesday, April 28, 1999

The Standing Committee on Justice and Human Rights met at 3:35 p.m. this day, in Room 701, La Promenade Building, the Chair, John Maloney, presiding.

*Member(s) of the Committee present:* Jim Abbott, Eleni Bakopanos, Chuck Cadman, Paul DeVillers, Ivan Grose, Derek Lee, John Maloney, Richard Marceau, John McKay, John Reynolds, Jacques Saada.

*Acting Member(s) present:* Yvon Charbonneau for Aileen Carroll, Gerald Keddy for Peter MacKay.

*In attendance: From the Library of Parliament:* Marilyn Pilon, Researcher and Philip Rosen, Senior Analyst.

*Appearing:* The Hon. Lawrence MacAulay, Solicitor General of Canada.

*Witness(es): From the Canadian Security Intelligence Service:* Ward P.D. Elcock, Director. *From the Correctional Service of Canada:* Ole Ingstrup, Commissioner. *From the Ministry of the Solicitor General of Canada:* Jean T. Fournier, Deputy Solicitor General. *From the National Parole Board:* Willie Gibbs, Chairman. *From the Royal Canadian Mounted Police:* Philip J.R. Murray, Commissioner.

Pursuant to Standing Order 81(6) and the Order of Reference dated Monday, March 1<sup>st</sup>, 1999, relating to the Main Estimates for the fiscal year ending March 31, 2000, being read as follows:

ORDERED, -- That Votes 1, 5, 10, 15, 20, 25, 30, 35, 40, 45 and 50 under SOLICITOR GENERAL, be referred to the Standing Committee on Justice and Human Rights.

The Chair called Votes 1, 5, 10, 15, 20, 25, 30, 35, 40, 45 and 50.

The Minister made an opening statement.

At 3:54 p.m., the sitting was suspended.

At 4:35 p.m., the sitting resumed.

The Minister, with the other witnesses answered questions.

At 5:45 p.m., the Committee adjourned to the call of the Chair.

Roxanne Enman / Roger Préfontaine

Clerk(s) of the Committee

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**MINUTES OF PROCEEDINGS**

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**JUSTICE AND HUMAN RIGHTS**

Chairman: John Maloney, Lib.

**Meeting No. 138**

**Tuesday, May 4, 1999**

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**ORDERS OF THE DAY:**

Study of Bill C-69, An Act to amend the Criminal Records Act and to amend another Act in consequence

Study of the Criminal Code impaired driving provisions

**WITNESSES:**


*Department of the Solicitor General of Canada:*

Mary Campbell, Director, Corrections Policy;

Richard Zubrycki, Director General, Corrections Directorate.





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## MINUTES OF PROCEEDINGS

Meeting No. 138

Tuesday, May 4, 1999

The Standing Committee on Justice and Human Rights met at 9:10 a.m. this day, in Room 701, La Promenade Building, the Chair, John Maloney, presiding.

*Member(s) of the Committee present:* Reg Alcock, Eleni Bakopanos, Michel Bellehumeur, Chuck Cadman, Aileen Carroll, Paul DeVillers, Ivan Grose, Derek Lee, Peter MacKay, John Maloney, Peter Mancini, Richard Marceau, John McKay and Jacques Saada.

*Acting Member(s) present:* Richard Harris for Jim Abbott, Eric Lowther for John Reynolds, Pierre Brien for Richard Marceau.

*In attendance: From the Library of Parliament:* David Goetz, Researcher and Philip Rosen, Senior Analyst.

*Witness(es): From the Ministry of the Solicitor General of Canada:* Richard Zubrycki, Director General, Corrections Directorate; Mary Campbell, Director, Corrections Policy.

The Order of Reference dated Wednesday, April 21, 1999, being read as follows:

ORDERED, -- That Bill C-69, An Act to amend the Criminal Records Act and to amend another Act in consequence be now read a second time and referred to the Standing Committee on Justice and Human Rights.

Pursuant to Standing Order 108 and the Order of Reference dated Wednesday, April 21, 1999, the Committee commenced consideration of Bill C-69, An Act to amend the Criminal Records Act and to amend another Act in consequence.

The Chair called Clause 1.

The witnesses made opening statements and answered questions.

It was agreed, -- That the Committee proceed to Clause-by-Clause consideration of Bill C-69 and C-284 on Thursday, May 6, 1999.

At 10:30 a.m., the sitting was suspended.

At 10:39 a.m., the sitting resumed *in camera*.

Pursuant to Standing Order 68(4)(a) and the Order of Reference dated Thursday, October 30, 1997, the Standing Committee on Justice and Human Rights resumed consideration of the Criminal Code impaired driving provisions. (*See Minutes of Proceedings dated Wednesday, February 3, 1999, Meeting No. 109*).

The Committee resumed consideration of its draft report.

It was agreed, -- That the draft report, as amended, be concurred in as the 19<sup>th</sup> Report of the Committee.

It was agreed, -- That the Chair, Clerks and Researchers be authorized to make such grammatical and editorial changes to the report as may be necessary without changing the substance of the report.

It was agreed, -- That, in addition to the 550 copies printed by the House, 450 copies of the Report be printed with a distinctive cover.

It was agreed, -- That, pursuant to Standing Order 109, the Committee request the government to table a comprehensive response to the Report.

It was agreed, -- That the Chair instruct legislative drafters to draft a bill for the Committee's consideration reflecting the recommendations contained in the Report.

At 12:20 p.m., the Committee adjourned to the call of the Chair.

Roxanne Enman / Roger Préfontaine

Clerk(s) of the Committee

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**MINUTES OF PROCEEDINGS**

Standing Committee  
on

**JUSTICE AND HUMAN RIGHTS**

Chairman: John Maloney, Lib.

**Meeting No. 139**

**Wednesday, May 5, 1999**

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**ORDERS OF THE DAY:**

Study of the Main Estimates for the fiscal year ending March 31, 2000: Votes 1, 5, 10, 15, 20, 25, 30, 35, 40, 45 and 50

**APPEARING:**

Hon. Anne McLellan, Minister of Justice and Attorney General of Canada

**WITNESSES:**

*Department of Justice:*

Robert Bourgeois, Assistant Deputy Minister, Corporate Affairs;

Morris Rosenberg, Deputy Minister.



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## MINUTES OF PROCEEDINGS

Meeting No. 139

Wednesday, May 5, 1999

The Standing Committee on Justice and Human Rights met at 3:36 p.m. this day, in Room 269, West Block, the Chair, John Maloney, presiding.

*Members of the Committee present:* Jim Abbott, Reg Alcock, Eleni Bakopanos, Paul DeVillers, Ivan Grose, Derek Lee, Peter MacKay, John Maloney, Peter Mancini, Richard Marceau, John McKay, John Reynolds and Jacques Saada.

*Acting Member present:* Jack Ramsay for Chuck Cadman.

*In attendance: From the Library of Parliament:* Marilyn Pilon, Research Officer; Philip Rosen, Senior Analyst.

*Appearing: From the Department of Justice:* The Hon. Anne McLellan, Minister of Justice and Attorney General of Canada.

*Witnesses: From the Department of Justice:* Morris Rosenberg, Deputy Minister; Janice Charette, Senior Assistant Deputy Minister, Policy Section; Yvan Roy, Senior General Counsel, Criminal Law Policy Section; Robert Bourgeois, Assistant Deputy Minister, Corporate Services.

Pursuant to Standing Order 81(6) and the Order of Reference dated Monday, March 1<sup>st</sup>, 1999, relating to the Main Estimates for the fiscal year ending March 31, 2000, being read as follows:

ORDERED, -- That Votes 1, 5, 10, 15, 20, 25, 30, 35, 40, 45 and 50 under JUSTICE, be referred to the Standing Committee on Justice and Human Rights.

The Chair called Votes 1, 5, 10, 15, 20, 25, 30, 35, 40, 45 and 50.

The Minister made an opening statement and with the other witnesses answered questions.

At 5:05 p.m., the Committee adjourned to the call of the Chair.

Roxanne Enman / Roger Préfontaine

Clerks of the Committee





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**MINUTES OF PROCEEDINGS**

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**JUSTICE AND HUMAN RIGHTS**

Chair: John Maloney, Lib.

**Meeting No. 140**

**Thursday, May 6, 1999**

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**ORDER OF THE DAY:**

Study of Bill C-69, An Act to amend the Criminal Records Act and to amend another Act in consequence





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## MINUTES OF PROCEEDINGS

Meeting No. 140

Thursday, May 6, 1999

The Standing Committee on Justice and Human Rights met at 9:15 a.m. this day, in Room 308, West Block, the Chair, John Maloney, presiding.

*Member(s) of the Committee present:* Reg Alcock, Eleni Bakopanos, Michel Bellehumeur, Chuck Cadman, Aileen Carroll, Paul DeVillers, Ivan Grose, Derek Lee, Peter MacKay, John Maloney, Richard Marceau, John McKay, Jacques Saada.

*Acting Member(s) present:* Eric Lowther for John Reynolds, Pierre Brien for Richard Marceau.

*In attendance: From the Library of Parliament:* Marilyn Pilon, Researcher and Philip Rosen, Senior Analyst.

*Witness(es): From the Ministry of the Solicitor General of Canada:* Mary Campbell, Director, Corrections Policy.

Pursuant to Standing Order 108 and the Order of Reference dated Wednesday, April 21, 1999, the Committee resumed consideration of Bill C-69, An Act to amend the Criminal Records Act and to amend another Act in consequence. (*See Minutes of Proceedings dated Tuesday, May 4, 1999, Meeting No. 138*)

The Committee proceeded to Clause-by-Clause consideration of the Bill.

The Chair called Clause 1.

Clauses 1 to 5 carried.

On Clause 6,

Eric Lowther moved, -- That Bill C-69, in Clause 6, be amended by replacing line 42 on page 2 with the following:

"6.3(1) the Commissioner shall make, in the"

After debate, the question being put on the amendment, it was adopted.

Eric Lowther moved, -- That Bill C-69, in Clause 6, be amended by replacing line 10 on page 3 with the following:

"police force or other authorized body shall"

After debate, the question being put on the amendment, it was adopted.

Eric Lowther moved, -- That Bill C-69, in Clause 6, be amended

- a. by replacing line 27 on page 3 with the following:

"in accordance with subsection (1) shall request"

- b. by replacing line 30 on page 3 with the following:

"applicant, and the Commissioner shall trans-"

After debate, the question being put on the amendment, it was adopted.

Eric Lowther moved, -- That Bill C-69, in Clause 6, be amended

- a. by replacing line 32 on page 3 with the following:

"(5) The minister shall disclose to the police"

- b. by replacing line 36 on page 3 with the following:

"(4) unless the Minister is of the opinion that the disclosure is not appropriate after examining the factors that the Minister must have regard to in considering whether to authorize a disclosure under this Act of a record of conviction, in which case the Minister may refuse to disclose the information."

After debate, the question put on the amendment, it was negatived by a show of hands - YEAS: 3, NAYS: 6.

Eric Lowther moved, -- That Bill C-69, in Clause 6, be amended by replacing line 38 on page 3 with the following:

"shall disclose the information referred to in"

After debate, the question put on the amendment, it was adopted.

Jacques Saada moved, -- That Bill C-69, in Clause 6, be amended by replacing, in the English version, line 4 on page 4 with the following:

"communicate it except in relation to the"

After debate, the question being put on the amendment, it was adopted.

Clause 6, as amended, carried.

Clause 7 carried.

On Clause 8,

Jacques Saada moved, -- That Bill C-69, in Clause 8, be amended by

- a. adding after line 13 on page 5 the following:

"(c.1) prescribing the factors that the Minister must have regard to in considering whether to authorize a disclosure under this Act of a record of a conviction;"

b. replacing line 21 on page 5 with the following:

"6.3 (2) and (6) ; and"

After debate, the question being put on the amendment, it was adopted.

Clause 8, as amended, carried.

Clause 9 carried.

Eric Lowther moved, -- That Bill C-69 be amended by adding after line 32 on page 5 the following new clause:

"9.1 The Canadian Human Rights Act is amended by adding the following after section 10:

10.1 (1) Notwithstanding section 8, it is not a discriminatory practice to express a limitation, specification or preference or publish anything in the circumstances described in that section in connection with employment of a person in a position of trust involving children or vulnerable persons where the limitation, specification, preference or publication relates to any sexual offence committed by the person against children or vulnerable persons, whether or not the offence has been pardoned.

(2) Notwithstanding section 10, it is not a discriminatory practice to establish or pursue a policy or practice or enter into an agreement in the circumstances described in that section in connection with employment of a person in a position of trust involving children or vulnerable persons where the policy, practice or agreement relates to any sexual offence committed by the person against children or vulnerable persons, whether or not the offence has been pardoned.

(3) Where a regulation is made under paragraph 9.1(c) of the *Criminal Records Act* defining the expression "children", "child" in this section shall have the meaning assigned to that expression by that regulation.

(4) Where a regulation is made under paragraph 9.1(c) of the *Criminal Records Act* defining the expression "vulnerable persons", "vulnerable person" in this section shall have the meaning assigned to that expression by that regulation."

The Chair ruled, -- That the amendment seeks to amend the *Canadian Human Rights Act* which is not mentioned in this bill. Beauchesne's sixth edition, citation 698(8)(a) says: "An amendment may not amend a statute which is not before the committee." R10 is therefore out of order.

Eric Lowther moved, -- That Bill C-69, be amended by replacing line 1 on page 1 with the following:

"WHEREAS there are certain circumstances in which it may be appropriate to grant a pardon to a person who has been of good behavior following a conviction for a criminal offence and a period following the completion of the sentence;

WHEREAS, if a person has been granted a pardon for an offence, the record of that offence should be kept separate from other records and access thereto should be given only in cases where the public interest overrides the privacy of the record; and



WHEREAS access to the record of an offence in respect of which a pardon has been granted should be available to the Royal Canadian Mounted Police in connection with law enforcement, and to those responsible for the care of children or vulnerable persons to assist in reviewing applications for positions of trust regarding children or vulnerable persons;

NOW, THEREFORE, Her Majesty, by and with the advice and"

The Chair ruled, -- That the amendment proposes to add a preamble to a bill that does not have one. Beauchesne's sixth edition, citation 705(3) says: "Where the bill, as introduced, does not contain a preamble, it is not competent for the committee to introduce one." R1 is therefore out of order.

The Title carried.

The Bill, as amended, carried.

ORDERED, -- That Bill C-69, An Act to amend the Criminal Records Act and to amend another Act in consequence, as amended, be reprinted for the use of the House of Commons at report stage consideration.

ORDERED, -- That the Chair report Bill C-69 with amendments to the House.

It was agreed, -- That the Chair write to the Minister of Justice asking that the effects of Bill C-69 be considered in the *Human Rights Act* review to be undertaken shortly.

It was agreed, -- That the Chair write to the House Leaders to request that Bill C-69 be proceeded with before the summer adjournment.

Pursuant to Standing Order 108 and the Order of Reference dated Tuesday, October 6, 1998, the Committee resumed consideration of Bill C-284, An Act to amend the Criminal Records Act and the Canadian Human Rights Act (offences against children). (See *Minutes of Proceedings dated Tuesday, December 1, 1998, Meeting No. 106*)

The Committee proceeded to Clause-by-Clause consideration of the Bill.

The Chair called Clause 1.

Eric Lowther moved, -- That the Committee report to the House that Bill C-284 be not further proceeded with as the subject matter of the Bill has been captured under Bill C-69, An Act to amend the Criminal Records Act and to amend another Act in consequence.

After debate, the motion was agreed to.

At 10:15 a.m., the sitting was suspended.

At 10:27 a.m., the sitting resumed *in camera*.

Pursuant to Standing Order 68(4)(a) and the Order of Reference dated Thursday, October 30, 1997, the Standing Committee on Justice and Human Rights resumed consideration of the Criminal Code impaired driving provisions. (See *Minutes of Proceedings dated Wednesday, February 3, 1999, Meeting No. 109*).

The Committee commenced consideration of a draft bill in relation to its impaired driving report.

It was agreed, -- That the Committee meet to consider its draft bill on Tuesday, May 11, 1999, and that the Chair table the final report on Tuesday, May 25, 1999.

Chuck Cadman gave notice of the following motion, -- That the Reform Party be authorized to append a dissenting opinion not exceeding 6 pages to the impaired driving report after the Chairman's signature and that it be in the hands of the Clerks no later than Friday, May 7<sup>th</sup> at 12:00 p.m.

At 12:10 p.m., the Committee adjourned to the call of the Chair.

Roxanne Enman / Roger Préfontaine

Clerk(s) of the Committee





HOUSE OF COMMONS OF CANADA  
36th PARLIAMENT, 1st SESSION

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**MINUTES OF PROCEEDINGS**

Standing Committee  
on

**JUSTICE AND HUMAN RIGHTS**

Chairman: John Maloney, Lib.

**Meeting No. 141**

**Tuesday, May 11, 1999**

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**ORDER OF THE DAY:**

Consideration of the Main Estimates for the fiscal year ending March 31, 2000

**WITNESSES:**

*Correctional Service of Canada:*

Richard Clair, Corporate Secretary;

Ole Ingstrup, Commissioner.

*National Parole Board:*

Wille Gibbs, Chairman.

*Royal Canadian Mounted Police:*

René Charbonneau, Director, Federal Services;

Philip J.R. Murray, Commissioner.



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## MINUTES OF PROCEEDINGS

Meeting No. 141

Tuesday, May 11, 1999

The Standing Committee on Justice and Human Rights met at 9:08 a.m. this day, in Room 371, West Block, the Acting Chair, Jacques Saada, presiding.

*Member(s) of the Committee present:* Reg Alcock, Eleni Bakopanos, Michel Bellehumeur, Aileen Carroll, Derek Lee, Peter MacKay, John Maloney, John McKay, John Reynolds, Jacques Saada.

*Acting Member(s) present:* Ian Murray for Paul DeVillers, Bernard Patry for Ivan Grose, Richard Harris for Jim Abbott, Rob Anders for Chuck Cadman, Pierre Brien for Richard Marceau.

*In attendance: From the Library of Parliament:* Marilyn Pilon, Researcher.

*Witness(es): From the Correctional Service of Canada:* Ole Ingstrup, Commissioner; Richard Clair, Corporate Secretary. *From the National Parole Board:* Willie Gibbs, Chairman. *From the Royal Canadian Mounted Police:* Philip J.R. Murray, Commissioner; René Charbonneau, Assistant Commissioner and Director, Federal Services.

Pursuant to Standing Order 81(6) and the Order of Reference dated Monday, March 1<sup>st</sup>, 1999, the Committee resumed consideration of the Main Estimates for the fiscal year ending March 31, 2000. (See *Minutes of Proceedings dated Wednesday, April 28, 1999, Meeting No. 137*)

Ole Ingstrup from Correctional Service of Canada made an opening statement, and along with the other witnesses, answered questions.

At 9:30 a.m., John Maloney took the Chair.

At 10:35 a.m., the sitting was suspended.

At 10:50 a.m., the sitting resumed *in camera*.

Pursuant to Standing Order 68(4)(a) and the Order of Reference dated Thursday, October 30, 1997, the Standing Committee on Justice and Human Rights resumed consideration of the Criminal Code impaired driving provisions. (See *Minutes of Proceedings dated Wednesday, February 3, 1999, Meeting No. 109*).

Richard Harris moved, -- That the Reform Party be authorized to append a dissenting opinion not exceeding 6 pages to the impaired driving report after the Chairman's signature.

After debate, the question being put, the motion was negatived.

The Committee resumed consideration of a draft bill in relation to its impaired driving report.

It was agreed, -- That the draft bill, as amended, be adopted.

It was agreed, -- That the Chair, Clerks, Researchers, and Legislative Drafter be authorized to make such grammatical and editorial changes to the draft bill as may be necessary without changing the substance of the bill.

Derek Lee moved, -- That the Committee invite the Clerk of the House to appear within 3 days to advise the committee on the interpretation of Standing Order 68.

John McKay moved, -- That the motion be amended by deleting the words "invite the Clerk of the House to appear within 3 days" and adding after the word "Committee", the following: "summon the Clerk of the House as the next order of business."

After debate, the motion, as amended, was agreed to unanimously.

At 12:35 p.m., the Committee adjourned to the call of the Chair.

Roxanne Enman

Clerk of the Committee

HOUSE OF COMMONS OF CANADA  
36th PARLIAMENT, 1st SESSION

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## **MINUTES OF PROCEEDINGS**

Standing Committee  
on

### **JUSTICE AND HUMAN RIGHTS**

Chair: John Maloney, Lib.

### **Meeting No. 142**

**Wednesday, May 12, 1999**

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**IN CAMERA**



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## MINUTES OF PROCEEDINGS

Meeting No. 142

Wednesday, May 12, 1999

The Standing Committee on Justice and Human Rights met *in camera* at 3:37 p.m. this day, in Room 308, West Block, the Chair, John Maloney, presiding.

*Member(s) of the Committee present:* Reg Alcock, Eleni Bakopanos, Michel Bellemumeur, Chuck Cadman, Aileen Carroll, Derek Lee, Peter MacKay, John Maloney, John Reynolds, Jacques Saada.

*Acting Member(s) present:* Ovid Jackson for Paul DeVillers, Claude Drouin for Ivan Grose, Dan McTeague for John McKay, Richard Harris for Jim Abbott.

*In attendance: From the Library of Parliament:* Marilyn Pilon, Researcher.

*Witness(es): From the House of Commons:* Robert Marleau, Clerk of the House; Camille Montpetit, Deputy Clerk and Dan McTeague, M.P. for Pickering -- Ajax -- Uxbridge.

Pursuant to Standing Order 108(1) and the motion passed in Committee to summon the Clerk of the House, the Committee commenced consideration of the Standing Orders. (*See Minutes of Proceedings dated Tuesday, May 11, 1999, Meeting No. 141*)

Robert Marleau made an opening statement, and along with Camille Montpetit, answered questions.

It was agreed, -- That the matter of tabling the Committee's impaired driving report be adjourned to the week of May 25, 1999, and that the Minister of Justice and Attorney General of Canada be invited to appear.

At 4:05 p.m., the sitting was suspended.

At 4:15 p.m., the sitting resumed in public.

The Order of Reference dated Friday, April 16, 1999, being read as follows:

ORDERED, -- That Bill C-440, An Act to amend the Criminal Code (flight) be now read a second time and referred to the Standing Committee on Justice and Human Rights.

The Chair called Clause 1.

Dan McTeague made an opening statement and answered questions.

At 5:20 p.m., the Committee adjourned to the call of the Chair.

Roxanne Enman



Clerk of the Committee

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HOUSE OF COMMONS OF CANADA  
36th PARLIAMENT, 1st SESSION

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**MINUTES OF PROCEEDINGS**

Standing Committee  
on

**JUSTICE AND HUMAN RIGHTS**

Chair: John Maloney, Lib.

**Meeting No. 143**

**Thursday, May 13, 1999**

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**ORDER OF THE DAY:**

Study of Bill C-79, An Act to amend the Criminal Code (victims of crime) and another Act in consequence

**WITNESSES:**

*Ad IDEM (Advocates in Defence of Expression in the Media):*

Brian MacLeod Rogers, President.

*Canadian Broadcasting Corporation:*

Daniel Henry, Senior Legal Counsel.

*Canadian Police Association:*

David Griffin, Executive Officer.

*Canadian Resource Centre for Victims of Crime:*

Steve Sullivan, Executive Director.

*CBC English Radio:*

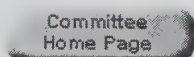
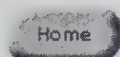
Esther Enkin, Managing Editor and Chief Journalist, Information Programming.



*Mothers Against Drunk Driving:*

Joanne Jarvis, National Victims' Services Coordinator;

Susan MacAskill, National President.



## MINUTES OF PROCEEDINGS

Meeting No. 143

Thursday, May 13, 1999

The Standing Committee on Justice and Human Rights met at 9:15 a.m. this day, in Room 705, La Promenade Building, the Acting Chair, Jacques Saada, presiding.

*Member(s) of the Committee present:* Eleni Bakopanos, Chuck Cadman, Derek Lee, John Maloney, Jacques Saada.

*In attendance: From the Library of Parliament:* Marilyn Pilon, Researcher.

*Witness(es): From the Ad IDEM (Advocates in Defence of Expression in the Media):* Brian MacLeod Rogers, President. *From the Canadian Broadcasting Corporation:* Daniel Henry, Senior Legal Counsel; Esther Enkin, Managing Editor and Chief Journalist, Information Programming, CBC English Radio. *From the Canadian Police Association:* David Griffin, Executive Officer. *From the Canadian Resource Centre for Victims of Crime:* Steve Sullivan, Executive Director. *From the Mothers Against Drunk Driving:* Susan MacAskill, National President; Joanne Jarvis, National Victims Services Coordinator.

Pursuant to Standing Order 108(3) and the Order of Reference dated Tuesday, April 20, 1999, the Committee resumed consideration of Bill C-79, An Act to amend the Criminal Code (victims of crime) and another Act in consequence. (See *Minutes of Proceedings dated Wednesday, April 21, 1999, Meeting No. 133*)

Eleni Bakopanos gave notice of the following motion, -- That the leaking of the impaired driving report be considered at the next meeting of the Committee.

The witnesses made opening statements and answered questions.

It was agreed, -- That a document under ban of publication be distributed to Members of the Committee but that the document not be made part of the official record.

At 10:15 a.m., John Maloney took the Chair.

At 10:35 a.m., the sitting was suspended.

At 11:25 a.m., the sitting resumed.

The witnesses made opening statements and answered questions.

At 12:10 p.m., the Committee adjourned to the call of the Chair.

Roxanne Enman

Clerk of the Committee

HOUSE OF COMMONS OF CANADA  
36th PARLIAMENT, 1st SESSION

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**MINUTES OF PROCEEDINGS**

Standing Committee  
on

**JUSTICE AND HUMAN RIGHTS**

Chair: John Maloney, Lib.

**Meeting No. 144**

**Tuesday, May 25, 1999**

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**ORDER OF THE DAY:**

Consideration of Bill C-79, An Act to amend the Criminal Code (victims of crime) and another Act in consequence

**WITNESS:**

*Justice Canada:*

Catherine Kane, Counsel, Criminal Law Policy Section.









## MINUTES OF PROCEEDINGS

Meeting No. 144

Tuesday, May 25, 1999

The Standing Committee on Justice and Human Rights met at 3:40 p.m. this day, in Room 308, West Block, the Chair, John Maloney, presiding.

*Member(s) of the Committee present:* Reg Alcock, Eleni Bakopanos, Michel Bellehumeur, Chuck Cadman, Aileen Carroll, Derek Lee, John Maloney, John McKay and Jacques Saada.

*Acting Member present:* Gary Pillitteri for Ivan Grose.

*In attendance: From the Library of Parliament:* Marilyn Pilon, Researcher.

*Witness(es): From the Department of Justice:* Yvan Roy, Senior General Counsel, Criminal Law Policy Section; Catherine Kane, Counsel, Criminal Law Policy Section.

Pursuant to Standing Order 108(3) and the Order of Reference dated Tuesday, April 20, 1999, the Committee resumed consideration of Bill C-79, An Act to amend the Criminal Code (victims of crime) and another Act in consequence. (*See Minutes of Proceedings dated Wednesday, April 21, 1999, Meeting No. 133*)

The Committee proceeded to Clause-by-Clause consideration of the Bill.

The Chair called Clause 1.

Clause 1 carried.

The witnesses answered questions on Clause 2.

After debate, Clause 2 carried.

Clauses 3 to 19 inclusive carried.

Clauses 20 to 22 carried on division.

Clauses 23 to 33 inclusive carried.

At 4:03 p.m., the Committee adjourned to the call of the Chair.

Roxanne Enman

Clerk of the Committee



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**MINUTES OF PROCEEDINGS**

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**JUSTICE AND HUMAN RIGHTS**

Chair: John Maloney, Lib.

**Meeting No. 145**

**Wednesday, May 26, 1999**

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**ORDER OF THE DAY:**

Main Estimates for the fiscal year ending March 31, 2000

**WITNESSES:**

*Canadian Security Intelligence Service:*

Ward P.D. Elcock, Director.

*Department of Justice:*

Vincent Kooiman, Legislative Counsel, Regulations Section;

François La Fontaine, General Counsel, Legislative Services Branch;

Don Macpherson, Legislative Counsel, Legislation Section;

Michael Richard, General Counsel, Property Law Section.

*Heritage Canada:*

Jeff Richstone, Senior Counsel.





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## MINUTES OF PROCEEDINGS

Meeting No. 145

Wednesday, May 26, 1999

The Standing Committee on Justice and Human Rights met at 3:35 p.m. this day, in Room 308, West Block, the Chair, John Maloney, presiding.

*Member(s) of the Committee present:* Jim Abbott, Aileen Carroll, Derek Lee, Peter MacKay, John Maloney, Richard Marceau, John McKay and Jacques Saada.

*In attendance: From the Library of Parliament:* Marilyn Pilon and Luc Gagné, Researchers.

*Witness(es): From the Canadian Security Intelligence Service:* Ward P.D. Elcock, Director. *From the Canadian Radio-television and Telecommunications Commission:* Anne-Marie Murphy, Counsel. *From Department of Justice:* François LaFontaine, General Counsel, Legislation Section; Vincent Kooiman, Legislative Counsel, Regulations Section; Don Macpherson, Legislative Counsel, Legislation Section; Alain Prévost, General Counsel, Financial Institutions; Michael Richard, General Counsel, Property Law Section. *From Heritage Canada:* Jeff Richstone, Senior Counsel. *From Human Resources Development Canada:* Luc Leduc, Counsel, Legal Services. *From Industry Canada:* Jim Buchanan, Senior Project Leader; Elizabeth Britt, Senior Counsel.

Pursuant to Standing Order 81(6) and the Order of Reference dated Monday, March 1<sup>st</sup>, 1999, the Committee resumed consideration of the Main Estimates for the fiscal year ending March 31, 2000. (*See Minutes of Proceedings dated Wednesday, April 28, 1999, Meeting No. 137*)

Ward P.D. Elcock from the Canadian Security Intelligence Service answered questions.

At 4:32 p.m., the sitting was suspended.

At 4:44 p.m., the sitting resumed.

Pursuant to Standing Order 108(2), the Committee commenced consideration of Proposals for a Miscellaneous Statute Law Amendment Act, 1998.

Don Macpherson and Vincent Kooiman from the Department of Justice made opening statements, and along with the other witnesses, answered questions.

At 5:40 p.m., the Committee adjourned to the call of the Chair.

Roxanne Enman

Clerk of the Committee



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**MINUTES OF PROCEEDINGS**

Standing Committee  
on

**JUSTICE AND HUMAN RIGHTS**

Chair: John Maloney, Lib.

**Meeting No. 146**

**Thursday, May 27, 1999**

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**ORDER OF THE DAY:**

Study of Bill C-440, An Act to amend the Criminal Code (flight)

**WITNESSES:**

*Canadian Association of Chiefs of Police:*

Bruce Brown, Legal Adviser, Law Amendments Committee;  
Michael Shard, Legal Adviser, Law Amendments Committee.

*Canadian Automobile Association:*

Jody Ciufu, Manager, Public and Government Affairs;  
Brian Hunt, President.

*Canadian Police Association:*

David Griffin, Executive Officer;  
Grant Obst, President.

*"Fédération des policiers et policières du Québec":*

Yves Prud'homme, President.







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## MINUTES OF PROCEEDINGS

Meeting No. 146

Thursday, May 27, 1999

The Standing Committee on Justice and Human Rights met at 9:28 a.m. this day, in Room 308, West Block, the Acting Chair, Chuck Cadman, presiding.

*Member(s) of the Committee present:* Michel Bellehumeur, Chuck Cadman, Peter MacKay, John Maloney, John McKay and Jacques Saada.

*Acting Member present:* Dan McTeague for Paul DeVillers.

*In attendance: From the Library of Parliament:* Marilyn Pilon, Researcher.

*Witness(es): From the Canadian Association of Chiefs of Police:* Bruce Brown, Legal Advisor, London Police Service; Michael Shard, Legal Advisor, Ontario Provincial Police. *From the Canadian Police Association:* Grant Obst, President; David Griffin, Executive Officer. *From the « Fédération des policiers du Québec »:* Yves Prud'homme, President; Christine Beaulieu, Coordinator of Communications. *From the Canadian Resource Centre for Victims of Crime:* Steve Sullivan, Executive Director. *As Individual:* Syd and Jenny Bowman. *From the Canadian Automobile Association:* Brian Hunt, President; Jody Ciufo, Manager, Public and Government Affairs.

Pursuant to the Order of Reference dated Friday, April 16, 1999, the Committee resumed consideration of Bill C-440, An Act to amend the Criminal Code (flight). (*See Minutes of Proceedings dated Wednesday, May 12, 1999, Meeting No. 142*)

The witnesses made opening statements and answered questions.

At 9:35 a.m., John Maloney took the Chair.

John Maloney moved, -- That the Committee prohibit the publication of the testimony given by the Bowmans and Steve Sullivan until final disposition of the court of matters relating to the death of Sarah Bowman, or until such time as the Committee may order.

Derek Lee moved, -- That the motion be amended by adding immediately after the words "or until such time as the Committee may order", the following:", and that any person or organization, including all members of the Parliamentary Press Gallery be prohibited from publishing this testimony, and that the order be communicated directly to these members forthwith".

After debate, the motion, as amended, was agreed to.

By unanimous consent, the Committee proceeded to discuss its future business.

It was agreed, -- That Department of Justice officials be invited to appear on Tuesday, June 1<sup>st</sup>, 1999, followed immediately by Clause-by-Clause consideration of Bill C-440.

At 12:15 p.m., the Committee adjourned to the call of the Chair.

Roxanne Enman

Clerk of the Committee

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**MINUTES OF PROCEEDINGS**

Standing Committee  
on

**JUSTICE AND HUMAN RIGHTS**

Chair: John Maloney, Lib.

**Meeting No. 147**

**Tuesday, June 1, 1999**

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**ORDER OF THE DAY:**

Consideration of Proposals for a Miscellaneous Statute Law Amendment Act, 1998

**WITNESS:**

*Department of Justice:*

Catherine Kane, Counsel, Criminal Law Policy Section.





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## MINUTES OF PROCEEDINGS

Meeting No. 147

Tuesday, June 1st, 1999

The Standing Committee on Justice and Human Rights met at 9:15 a.m. this day, in Room 308, West Block, the Chair, John Maloney, presiding.

*Member(s) of the Committee present:* Jim Abbott, Reg Alcock, Chuck Cadman, Aileen Carroll, Paul DeVillers, Ivan Grose, Derek Lee, Peter MacKay, John Maloney, John McKay, John Reynolds and Jacques Saada.

*Acting Member present:* Lynn Myers for Eleni Bakopanos.

*In attendance: From the Library of Parliament:* Luc Gagné, Marilyn Pilon, Researchers and Philip Rosen, Senior Analyst.

*Witness(es): From the Department of Justice:* Catherine Kane, Counsel, Criminal Law Policy Section.

Pursuant to Standing Order 108(2), the Committee resumed consideration of Proposals for a Miscellaneous Statute Law Amendment Act, 1998. (*See Minutes of Proceedings dated May 26, 1999, Meeting No. 145*)

It was agreed, -- That the *Proposals for a Miscellaneous Statute Law Amendment Act, 1998*, as amended, be adopted.

It was agreed, -- That the Chair be authorized to report the *Proposals for a Miscellaneous Statute Law Amendment Act, 1998* to the House.

Notice having been given, Jim Abbott moved, -- That the Standing Committee on Justice devote one hour to inquire from Commissioner Murray - RCMP - into the reasons for the termination of the RCMP investigation into allegations of fraud in BRE-X Minerals investigation.

John McKay moved, -- That the motion be amended by deleting the words "That the Standing Committee on Justice devote one hour to inquire from Commissioner Murray - RCMP - into" and replace it with the following: "That the Committee write to Commissioner Murray of the RCMP to ask for", and that the Commissioner's response be received no later than 10:00 a.m. on Tuesday, June 8, 1999.

After debate, the question being put on the amendment, it was carried by a show of hands -- YEAS: 7  
NAYS: 5

By unanimous consent, Jim Abbott moved, -- That the main motion be withdrawn.

After debate, the question being put on the motion, it was agreed to.

Pursuant to Standing Order 108(2), the Committee commenced consideration of the Mental Disorder



Provisions of the Criminal Code.

At 9:55 a.m., Catherine Kane from the Department of Justice made an opening statement and answered questions.

By unanimous consent, the Committee proceeded to discuss its future business.

At 10:40 a.m., the Committee adjourned to the call of the Chair.

Roxanne Enman / Roger Préfontaine

Clerk(s) of the Committee



HOUSE OF COMMONS OF CANADA  
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**MINUTES OF PROCEEDINGS**

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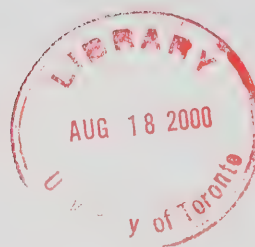
Chair: John Maloney, Lib.

**Meeting No. 148**

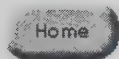
**Wednesday, June 9, 1999**

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**IN CAMERA**







## MINUTES OF PROCEEDINGS

Meeting No. 148

Wednesday, June 9, 1999

The Standing Committee on Justice and Human Rights met *in camera* at 3:40 p.m. this day, in Room 308, West Block, the Chair, John Maloney, presiding.

*Member(s) of the Committee present:* Jim Abbott, Chuck Cadman, Aileen Carroll, Paul DeVillers, Ivan Grose, Derek Lee, Peter MacKay, John Maloney, Richard Marceau, John McKay and Jacques Saada.

*In attendance: From the Library of Parliament:* Philip Rosen, Senior Analyst.

*Witness: From the House of Commons:* Diane Davidson, General Legal Counsel, Legal Services.

Pursuant to Standing Order 108(2), the Committee commenced consideration of powers of committees.

The witness made an opening statement and answered questions.

At 4:40 p.m., the Committee proceeded to discuss its future business.

Richard Marceau moved, -- That the 48 hour notice period for motions be waived.

After debate, the question being put on the motion, it was negatived.

Richard Marceau gave notice of the following motion, -- That Ward Elcock from CSIS be invited to appear.

Pursuant to Standing Order 108(2), the Committee commenced consideration of a letter to the Chair of the Committee from the Commissioner of the RCMP on the matter of the RCMP investigations regarding BRE-X Minerals Ltd dated June 4, 1999.

Jim Abbott moved, -- That the proceedings move in public.

After debate, the question being put on the motion, it was agreed to.

At 4:47 p.m., the sitting continued in public.

Jim Abbott moved, -- That Commissioner Murray of the RCMP be invited to appear with respect to the investigations regarding BRE-X Minerals Ltd.

At 5:20 p.m., the Committee adjourned to the call of the Chair.

Roxanne Enman / Roger Préfontaine

Clerk(s) of the Committee









